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*BOCCHUS delivering JUGURTHA
into the Hands of SYLLA.*

Published March 1, 1743 by J. & P. Knapton.

T H E
ROMAN HISTORY
FROM THE
FOUNDATION of ROME
TO THE
BATTLE of ACTIUM:

THAT IS,
To the END of the COMMONWEALTH.

By Mr. C R E V I E R,
Professor of RHETORICK in the College of BEAUVAIS,
Being the CONTINUATION of Mr. ROLLIN's Work.

Translated from the FRENCH.

V O L. VI.

THE THIRD EDITION.
ILLUSTRATED WITH MAPS AND COPPER-PLATES.

L O N D O N,

Printed for J. RIVINGTON, R. BALDWIN, HAWES CLARKE
and COLLINS, R. HORSFIELD, W. JOHNSTON, W. OWEN,
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and ROBERTS, and NEWBERRY and CARNAN.

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T H E
 ROMAN HISTORY,
 FROM THE
 FOUNDATION of ROME
 TO THE
 BATTLE of ACTIUM.

BOOK THE TWENTY-SEVENTH.

THIS book contains the space of about twenty years. It includes principally the war with Viriathus, and the siege of Numantia: and, lastly, some detached facts till the commotions of the Gracchi:

S E C T. I.

Spain gives the Romans great pain and disquiet. They have several losses in Celtiberia. Several States of Spain send Deputies to Rome, to ask peace. Speech of the Deputies. The Senate refers them to Marcellus, but secretly decrees war. The Roman youth refuse to serve in Spain. Young Scipio offers his service, and draws all the youth after him. Marcellus concludes a peace with the Celtiberians. Cruel avarice of the Consul Lucullus

cullus. Siege and taking of Intercatia. Singular battle and victory of Scipio. Lucullus forms and raises the siege of Pallantia. The Prætor Galba is defeated in Lusitania. Detestable perfidy of that Prætor. Viriathus escapes being murdered. From a poor shepherd he becomes a terrible warrior. By various stratagems, in which he abounds, he defeats the Romans on several occasions. The Consul Fabius Æmilianus marches against Viriathus. A saying of Scipio's excludes the two Consuls from the command of the armies. Fabius gains several advantages over Viriathus. Metellus makes war, during two years, with the Celtiberians. His constancy and humanity. A saying of his upon secrecy. Praise and character of Viriathus. After having defeated the Consul Fabius, he retires into Lusitania. Pompeius attains the Consulship by a bad stratagem. Excesses of Metellus, when he is informed that Pompeius is to succeed him. Various expeditions of Pompeius of little consequence. Expeditions of Fabius into Hispania Ulterior. Peace concluded between Viriathus and the Romans. That peace is broken. Viriathus, by a stratagem, evades the pursuit of Cæpio. He demands peace of him ineffectually. Cæpio, become odious to the whole army, runs a great risque. He causes Viriathus to be killed by treachery. His obsequies: his merit. Pompey ruins his troops by continuing the siege of Numantia during the winter. He concludes a treaty of peace with the Numantines. Pompey afterwards denies having made that treaty, and has interest enough to be acquitted at Rome. Example of severity against a deserter. The two Consuls imprisoned by the Tribunes of the People. Constancy of the Consul Nasica in respect to the People. Brutus builds Valencia. He purges the province of robbers. Popillius defeated by stratagem before Numantia. Mancinus arrives before that city. He retires by night, and is pursued by the Numantines. He makes an infamous treaty, negotiated by Tiberius. He is ordered to Rome. Mancinus and the Deputies of Numantia are heard in the Senate. Ti. Gracchus strongly supports the cause of Mancinus. The Consul Æmilius attacks

attacks the Vaccaei, besieges Pallantia, and is at length obliged to fly with precipitation. Success of Brutus in Spain. Passage of the river Lethe. It is decreed at Rome that Mancinus should be delivered to the Numantines. They refuse to receive him. He returns to Rome. Noble confidence of the Consul Furius in his virtue. Scipio Æmilianus is elected Consul. Spain is given him for his province. He labours and succeeds in reforming his army. It assumes an entirely new aspect. Jugurtha comes to join Scipio. Marius serves under him. Scipio persists in refusing the Numantines battle. He draws lines of contravallation and circumvallation round the city. He shuts up the passage of the river Durus. Wonderful order that he establishes for being informed of every thing. Vain efforts of the Numantines. They implore aid of the Arvaci. Scipio severely punishes the city of Lutia. Generosity and disinterestedness of Scipio. The Numantines send to ask peace. Numantia massacres her Deputies. Famine makes horrible havock in that place. It at length surrenders. Many kill themselves. Numantia is totally demolished. Triumphs of Scipio and Brutus. Reflexions upon the courage of the Numantines, and the ruin of Numantia. Private life of Scipio Africanus.

WHILST the Roman arms prospered in Africa and Achaia, where they entirely ruined Carthage and Corinth, they had not such good success in Spain; which, though several times overcome, was never entirely reduced into subjection. We have already observed elsewhere, that, of all the provinces of the empire, this was that which submitted with most reluctance to the yoke, was always ready to revolt, and made the longest and most obstinate resistance. This is the character which * Horace gives it in more than one place, in extolling the victories gained by Augustus over the States of Spain, either in person or

* Cantabrum indoctum juga ferre nostra. Od. vi. l. 2. Cantaber serâ domitus catena, Od. viii. l. 3. Cantaber non antè domabilis. Od. xiv. l. 4.

FULVIUS, ANNIUS, Consuls.

by his Lieutenants, and the glory which he had at length attained of subjecting it. At the time of which we are speaking, Spain found the Romans great employment. Viriathus on one side, and the Numantines on the other, often defeated their armies, and covered their Generals with shame and disgrace. I shall not give the war with Viriathus, and that with the Numantines, two different Names. As the duration of the first is contained in that of the second, and the events of both are intermixed in some degree, I shall comprize the whole under the name of the war of Spain. It was made on different sides, during the space of twenty years, with some interruption, but always with animosity and inveteracy; which shews*, that it was not a war of glory and ambition, but of enmity and hatred, which could only terminate with the ruin of one of the two nations. This war ended with the entire destruction of Numantia.

A. R. 598.
Ant. C.
154.

Q. OPIMIUS.
L. POSTUMIUS.

A victory gained by the Lusitanians over the Prætor Calpurnius Piso, animated the neighbouring States, drew them all into the revolt, and made them take arms against the Romans.

The fear lest this insurrection might have unhappy consequences, occasioned the election and departure of the Consuls to take place sooner than usual.

A. R. 599.
Ant. C.
153.

Q. FULVIUS NOBILIOR.
T. ANNIUS LUSCUS.

The Consuls entered upon office no longer on the fifteenth of March, as had been the ancient custom, but on the first of January: and this example became the rule.

* Cum Celtiberis bellum, ut cum inimicis, gercebatur, uter esset, non uter imperaret. Offic. i. 38.

Fulvius, having Spain for his province, marched against the Celtiberians called Belli. That people occupied Segeda, a very strong and powerful city, and fortified it extremely, notwithstanding express prohibitions of the Senate. When they were informed of the Consul's approach, who advanced at the head of an army of thirty thousand men, not having time to compleat their fortifications, they retired with their wives and children into the country of the Arvaci, whose principal city was Numantia, imploring their aid against the common enemy. The latter placed Carus, a citizen of Segeda, at the head of their troops, one of the most able captains of the country. Having laid ambuscades for the Romans, he attacked them with twenty thousand foot, and five thousand horse: the action was very warm, and the success doubtful. Each side lost six thousand men. The Arvaci retired the following night into Numantia. The Consul followed them thither the next day, and incamped three miles from the city. A second battle ensued. The Romans had the advantage at first, and pursued the enemy to the gates of Numantia. But the elephants which Masinissa had sent them, having turned against themselves, the Numantines, who saw that the Roman troops were in disorder, sallied out of the city, attacked them vigorously, and killed them above four thousand men. They lost on their side near half that number. The Romans had still some other bad successes. Ocilis, a famous city of the country where the Consul had deposited his money and provisions, surrendered to the Celtiberians.

A. R. 599.
Ant. C.
153.
Appian.
in Bell.
Hisp. p.
279—281.

The Prætor L. Mummius, in Hispania Ulterior, received at first a considerable blow: but afterwards, having been taught by his disgrace, he gained many advantages, which, though not decisive, acquired him the honour of a triumph. It was this Mummius who, in his Consulship, of which we have spoken already, took and destroyed Corinth.

A. R. 600.
Ant. C.
152.

M. CLAUDIUS MARCELLUS III.
L. VALERIUS FLACCUS.

Appian.

The Consul Marcellus had no great success against the Celtiberians. He, however, retook the city of Ocilis, from which he demanded hostages, and thirty talents of silver (about thirty thousand crowns). Whilst he was preparing to besiege Nergobrix, the inhabitants sent Deputies to him, to demand peace upon such conditions as he should think fit. He replied, that they had no peace to hope, unless the Arvaci and Celtiberians, surnamed Belli, joined with them in making the same demand. Those People made no difficulty to consent to this. The Consul granted them a truce, in order to give them time to apply to the Senate. Other States, in the alliance of Rome, sent also their Deputies thither, to oppose the demand of the first, not believing themselves safe unless covered by the Roman arms.

Marcellus took up his winter-quarters in a place called Corduba, situated upon the river Bætis, in an extremely fertile country. He enlarged the place, and fortified it, so that he was considered as its founder. And this is the origin of the colony of Cordova.

Mummius having quitted Lusitania, to go to Rome to demand a triumph, the Prætor M. Atilius took upon him the government of that province in his room. The new General, after some slight successes, having retired with his troops into winter quarters, the revolt became almost general amongst those States; and they attacked some cities which had declared for the Romans.

A. R. 601.
Ant. C.
151.

A. POSTUMIUS ALBINUS.
L. LICINIUS LUCULLUS.

Pol. b. Legat. 142.
Appian.

In the mean time the Deputies, of whom we have spoke, arrived at Rome. Those who were the allies
of

of the Roman People were received into the city : as to the Arvaci, who were considered as enemies, they were ordered to remain beyond the Tiber till they should be sent for. The Consul introduced them soon to an audience of the Senate. All Barbarians, as they were, they gave a very clear and judicious account of the different factions of their country. They represented, “ That if those who had taken arms against the Romans were not punished with severity, they would not fail, as soon as the Consul’s army should remove, to fall upon the allies of the Romans, and to treat them as traitors to their country ; and that, on the first advantage they should have, it would be easy for them to draw all Spain into their party. They demanded, in consequence, either that an army should always continue in Spain, and that a Consul should be sent every year to protect the allies, and cover them from the insults of the Arvaci ; or, before the legions should be recalled, that the rebellion of the Arvaci should be so severely punished, as to deter all those who should be tempted to follow their example.”

Audience was afterwards given to the Arvaci. Though they affected a kind of humiliation in their words, it was not difficult to perceive, that they did not believe themselves overcome, and that their hearts were not of accord with this outside of submission. “ They magnified the advantages they had gained in several battles, and put the Romans in mind of the inconstancy of fortune. They declared, however, that if any penalty were laid upon them, they should willingly undergo it ; provided that, after having thereby expiated the fault which they might have committed through inadvertency. they should be re-established in the same rights which Ti. Gracchus had granted them by the treaty he had made with them.”

When the Senate had heard the Deputies of Marcellus, knowing, by their discourse, and the General’s own letters, that he openly inclined to peace, they did not think it proper to explain themselves to the Ambassadors of the Spaniards ; and contented themselves with answering, that Marcellus would inform

A. R. 601.
Ant. C.
151.

them of the Senate's intentions. But, at the same time, convinced that the interest of the allies, and the glory of the Commonwealth, required that they should act with vigour, they gave orders secretly to the Proconsul's deputies, who were setting out for Spain, to inform him that he was to make war against the Arvaci with vigour, and in a manner worthy of the Roman name.

As they relied but little upon the courage of Marcellus, they thought of sending him a successor, with new troops, as soon as possible. The Consuls wanted neither zeal nor ardor; but when the question was, to make the levies, difficulties arose, which surprized the more, as they were least expected. It had been told at Rome by Q. Fulvius, and the soldiers who had served under him in Spain, that they had been obliged to be almost always under arms; that they had innumerable battles to fight and sustain; that an infinite number of Romans had perished in them; that the courage of the Celtiberians was invincible; and that Marcellus trembled for fear he should be ordered to make war longer against them. This news occasioned so great a consternation amongst the youth, that, in the sense of the oldest Romans, the like had never been known. Instead of more Tribunes than were necessary, as formerly, nobody stood for that employment. The persons whom the Consul charged with the war in Spain appointed their Lieutenants, refused to follow him. What was most deplorable, the youth themselves, though cited according to custom, would not list.

The Senate and Consuls, terrified at so strange and so unexpected an event, did not know what measures to take; finding, in such a conjuncture, both severity and lenity equally dangerous. Scipio Africanus, who was then scarce thirty years old, and was the only intrepid and obedient person of all that timorous and indocile Youth, on this occasion shewed his courage, and, from thenceforth, that he was born either to sustain the glory, or obliterate the disgrace, of the Roman name. He rose up, and said, that he would go and serve the Commonwealth in Spain, either as Tribune,

Tribune, or in any other rank that should be assigned him. "That he was invited to go to Macedonia in a function wherein he should incur less danger;" (the Macedonians having demanded him, by name, for appeasing some troubles that had arose in the country) "but that he could not abandon the Commonwealth in such a pressing conjuncture, which called all those into Spain that had any regard for true glory." This discourse surprized and charmed. The heir of the Scipios and Æmilii was with joy discerned in this generous resolution. Every body ran immediately to embrace him: the next day the applauses redoubled. How efficacious good example is, was then seen. Those who before were afraid to lift, now, apprehending that the comparison which would not fail to be made between Scipio's courage and their fear, would reflect disgrace upon them, were eager either to solicit military employments, or to cause themselves to be entered for the service.

A. R. 601.
Ant. C.
151.

This generous zeal of young Scipio very naturally calls to mind that which his grandfather by adoption, the first Scipio Africanus, shewed in a like conjuncture, and in respect to the same province.

Whilst all this passed at Rome, the Proconsul Marcellus, more cunning than brave, desiring extremely to terminate the war before the arrival of his successor, to disengage himself from dangers, and, at the same time, to secure to himself the glory of having established peace in Spain, engaged the Celtiberians, by insinuation and caresses, to make peace. The treaty was concluded, and it was agreed, "That the Celtiberians, after they had given hostages, and paid the sum of six hundred talents (about six hundred thousand crowns) should live according to their own laws, and be deemed the friends and allies of the Roman People."

Appian.de
Bell. Hisp.
283.

The Consul Lucullus was charged with the war of Spain, and went thither with design to make his advantage of the spoils of so rich a province. On his arrival, he saw, with grief, that peace was concluded with the Celtiberians. He did not dare to infringe a treaty just made, and turned his views a different way.

App. 283.

He

A. R. 601.
Ant. C.
151.

He resolved to attack the Vaccæi, neighbours of the Arvaci, though he had neither the Senate's orders, nor any just pretext for making war against them. He however laid siege to Cauca, one of their principal cities. After a slight and short defence, the inhabitants surrendered. He required hostages of them, with an hundred talents, and that their horse should enter into the service of the Romans. He also introduced a garrison of two thousand men into the city. The Caucæi refused him nothing. The garrison immediately opened the gates to the whole army, which put all the youth capable of bearing arms to the sword: twenty thousand of them were killed. The old men, women, and children, were sold into captivity; and scarce any one could escape. The report of so barbarous an execution spread terror throughout the whole country, and caused the Roman name to be abhorred and detested every where.

From thence Lucullus marched into Intercatia, another very strong city of the Vaccæi, where the Spaniards had twenty thousand foot and two thousand horse. The Consul exhorting them to surrender upon reasonable conditions, they replied with insult, "We must then forget the proof of your faith, which you gave at Cauca." The besieged frequently skirmished, but avoided coming to a general battle. A Spaniard, one of the principal persons of the country, of an extraordinary stature, and covered with shining arms, presented himself in the front of the Roman army, challenging the bravest amongst them to single combat: and, as no one dared to accept the challenge, he insulted the whole army with an air of contempt and ridicule. Young Scipio, who served under Lucullus in the quality of Tribune, not being able to bear so gross an indignity, advanced boldly, and, when they came to blows, ran his enemy through, and laid him dead at his feet. After this glorious victory, the Romans thought only of pressing the siege. Scipio gave new proofs of his intrepid valour on this occasion, being the first that mounted the wall when the assault was given to the place: it however was not carried.

carried. The siege afterwards being spun out to a great length, and sickness spreading amongst the troops on both sides, an accommodation was proposed. The besieged would confide only in the promise of Scipio. The agreement was made. The inhabitants supplied the Consul with ten thousand coats for soldiers, a certain number of great and small cattle, with fifty hostages: this had been stipulated: for as to gold and silver, the sole things Lucullus sought in this country, there was none to be had. He paid Scipio all the honours due to him, in the presence of the army, and adorned him with a mural crown. It is by such degrees persons at length attain the first rank, and it is in this manner that great men are formed.

A. R. 601.
Ant. C.
151.

Lucullus, whose hopes had been frustrated at the siege of Intercatia, sought to make himself amends by attacking Palliantia, a very strong and opulent city. It was represented to him, that this enterprise, in that season of the year, might become very dangerous: but avarice has no regard to wise counsels. He at length perceived the truth of them, but to his shame, being obliged to raise the siege for want of provisions. The besieged pursued and harassed him in his march, till he arrived at the river Durus. The Spaniards having retired, the Consul removed into Turdetania, to pass the winter-quarters there.

On the side of Hispania Ulterior, that is, in Lusitania, the Prætor Ser. Sulpicius Galba, who succeeded M. Atilius, having made a forced march to aid allies who were much pressed, arrived very opportunely near the enemy, and attacked and put them to flight. However, his troops being extremely fatigued, not having had a moment's rest, did not pursue them with any vigour, and halted from time to time. The enemy perceived this, faced about, attacked the Romans, who could scarce carry their arms, with vigour, and killed them about seven thousand men. Galba could not undertake any thing afterwards, and put his troops into winter-quarters till Lucullus came to second him.

A. R. 601.
Ant. C.
151.

We have said, that Lucullus passed his winter-quarters in Turdetania. Having perceived that the troops of the Lusitanians, which were in the neighbourhood, observed no discipline, he sent a considerably strong detachment against them, and killed four thousand of them. He attacked the army of the same enemy near Cadiz, and destroyed fifteen thousand of them, pushed the rest to an eminence; where, soon after, for want of provisions, they were obliged to surrender. He found no farther resistance in Lusitania after these successes; and ravaged the whole country with impunity.

App. in
Hisp. 282.

This example gave Galba courage, and he did the same on his side, carrying fire and sword every where; which made the revolted people return to their duty, at least in appearance. They demanded of Galba to be admitted into the amity of the Roman People, upon the same conditions as M. Atilius had prescribed the year before. Galba, concealing a black and detestable design under a gracious and obliging outside, professed, “to take compassion of their condition, and to be sorry to see, that, rather through necessity than malignity, they were reduced to rob and pillage; that he rightly perceived, it was want and poverty that forced them to follow this kind of life; that he could, if that seemed convenient, and they would truly become friends of the Roman People, place them in a better soil, and settle them more to their advantage; by dividing them, however, into three bodies, because he had not at his disposal a sufficient tract of good land to contain them altogether.” The air of goodness and fidelity with which he spoke to them, persuaded them. They accepted his proposal, removed into the three places he pointed out to them, that were separate from each other, and waited there, according to his orders, till he should return. After this, he went to the first, and pretending to consider them for the future as friends, he induced them to put their arms, for which they had no farther occasion, into his hands; which they made no difficulty to do.

do. After having thus disarmed them, he surrounded them with intrenchments, and caused them to be massacred, whilst they vainly implored the wrath and vengeance of the Gods against such perfidy. He did the same in respect to the second, and then to the third. Few escaped the slaughter, of which number was Viriathus, no doubt reserved by an express order of the Divine Providence not to suffer a crime, so contrary to all laws, human and divine, to pass with impunity even upon earth. Authors do not agree amongst themselves concerning the number of those who perished upon this occasion, some making it amount only to nine thousand, and others to thirty thousand. Probably the latter have added those who were killed to those who were sold. Galba distributed a very small part of the plunder to the army: his insatiable avarice engrossed all the rest.

On his return to Rome, he was accused before the People for this horrible murder. Cato was his strongest and most formidable adversary. I shall give the reader all that relates to this trial in the sequel.

L. MARCIUS.

M. MANILIUS.

A. R. 603.
Ant. C.
149.

The bloody execution of Galba did not terminate the war in Lusitania. The Romans soon paid for the perfidy of which they had been guilty with their blood and defeats. Could one believe that a man of nothing, a descendant from the lowest condition of mankind, could ever form the design of making war with the most powerful people of the earth? This, however, Viriathus the Spaniard did, who had escaped the cruelty of Galba. Every instrument suffices in the hands of God, when it is his will to chastise men, and to evidence his justice. Viriathus, from a shepherd become an hunter, and from an hunter a robber, had long enured himself in the forests to an hard and laborious life with other mountaineers, all men of bravery and bold like himself, without fortune or hopes,
living

App. in
Hist. 289.

A. R. 603.
Ant. C.
149.

living only from the point of the sword, accustomed to fall suddenly from the tops of their mountains upon travellers, and to disappear instantly ; in a word, continually exercised in the greatest danger and rudest fatigues. His troops insensibly, through the reputation of their Captain, which increased every day, augmented so much, that it became an army ; with which he had the courage to make head against the Generals of the Roman People, as we are going to see.

Appian.

The army of the Lusitanians, composed of ten thousand men, ravaged Turdetania. The Prætor C. Vitilius arrived opportunely, and attacked them so vigorously, that he killed a great number of them, and drove the rest into a place where it seemed impossible for them to continue without perishing of hunger, nor remove without being cut in pieces by the enemy. In this extremity, they sent Deputies to the Prætor, to intreat him, “ that he would grant them lands which they might cultivate, and where they might settle : that, in acknowledgement, they would employ their arms in the service of the Roman People, to whom they would become most zealous and faithful allies.” Vitilius relished this proposal very much, and the treaty was upon the point of being concluded, when Viriathus addressed himself to his comrades to the following effect : “ Are ye then ignorant with what men you are going to treat ? “ Have you forgot, that the Romans are never to be “ feared more, than when they profess favour ? And “ will you, by a blind and imprudent temerity, expose yourselves to a bloody massacre, like that “ which, under Galba, has deprived us of so many “ brave companions ? If you will give ear to and “ obey me, I well know how to extricate you out “ of the danger that now makes you desperate.” He had no occasion to say more : they all swore obedience to him that instant.

He immediately drew up his troops, as if to give battle. He chose a thousand horse to accompany him, and gave orders to the rest, as soon as they should

should see him mount on horseback, to fly immediately, dispersing on several sides, and to meet him at the city of Tribola. The Prætor, surprized and disconcerted, did not dare to pursue them, apprehending, that the troops which remained would fall upon his rear. He therefore turned all his forces against Viriathus. But the latter, by the swiftness of his horses, avoided all his attacks, sometimes seeming to fly, and sometimes making a feint of advancing against him. By this conduct he kept the Romans that and the following day in the same place. When he judged that the rest of the troops were arrived in a safe post, he retired in the night, through tracks unknown to others, but very familiar to him, and escaped the Romans, whom the ignorance of the ways, the weight of their arms, and the little speediness of their horse, prevented from pursuing him long and vigorously. The good success of this stratagem acquired him great reputation, and much augmented his authority. Numbers came from all sides to list under his banners.

The Prætor, knowing that Viriathus was at Tribola, marched against him. It was necessary to pass a forest. The new Spanish General laid an ambuscade there, and, having shewn himself with a small number of troops, fled precipitately, as if through fear, and drew on the Prætor into marshy places. Viriathus easily extricated himself out of them by ways which he knew; but this was not the case with the Romans, upon whom the troops in ambush fell that moment, charging them on the flanks and in the rear. Vitilius was killed. Four thousand Romans either lost their lives, or were taken prisoners: Six thousand retreated to * Carpestus with the Quæstor; who, not relying much upon troops discouraged by their defeat, had recourse to the neighbouring States in alliance with Rome. They sent him five thousand men; whom

* Appian believes this to be the city of Tartessus, where Arganthonius, said to have lived an hundred and fifty years, reigned.

Viriathus entirely cut to pieces, almost not a single man escaping.

A. R. 604.
Ant. C.
148.

Sp. POSTUMIUS.
L. CALPURNIUS PISO.

Diod.apud
Valef. 346.

C. Plautius, who succeeded Vitilius, and had brought with him ten thousand foot and thirteen hundred horse, was not more successful. In a first action, wherein Viriathus had laid an ambuscade, he lost four thousand men; and almost all the rest in a second. At his return to Rome, he was accused before the People, as having occasioned these losses by his ill conduct; and banished.

Front.
Strat. iii.
10.

The inhabitants of Segobriga suffered themselves to be twice deceived by the stratagems of Viriathus. Seeing a small number of soldiers driving cattle, they sent out a considerable detachment against them, which fell into an ambuscade, and was entirely defeated.

Ibid. 11.

Some time after, having removed three days march from Segobriga, and thereby inspired the inhabitants with a false security, he returned suddenly, in a single day, and surprized the city, which did not expect to be attacked in so short a time.

A. R. 607.
Ant. C.
145.

He had many other successes: and, besides the two Prætors of whom we have just been speaking, History also mentions Claudius Unimanus, and Nigidius Figulus, whose defeat added new glory to the arms of Viriathus. The Senate at length perceived, that they had a serious war in hand, and that it was necessary to send a Consul with considerable forces into these provinces, to reduce an enemy that at first seemed only worthy of contempt.

A. R. 607.
Ant. C.
145.

Q. FABIUS ÆMILIANUS.
L. HOSTILIUS MANCIINIUS.

The province of Spain fell to Fabius, who was the son of Paulus Æmilius, and the elder brother of the second Scipio Africanus. He carried with him only
new

new raised men; because it was judged reasonable to let the soldiers who had served in Africa, Greece, and Macedonia, enjoy the repose they had so well deserved. The number of troops who followed him into Spain amounted to fifteen thousand foot, and near two thousand horse. When he arrived, he gave the care of forming them, by continual exercises, for all the functions of war, to his Lieutenants, whilst he went to Cadiz to offer a sacrifice to Hercules, who was considered as the first of the family of the Fabii. Mistaken religion! he had done better not to have quitted his army, where his duty required his presence. During his absence the enemy defeated one of his Lieutenants, and took great spoils from him: this news hastened his return. Viriathus, haughty from the victory he had lately gained, offered Fabius battle every day. But the latter, firm and unalterable to the resolution he had formed of not venturing a general action, contented himself with slight skirmishes, to form and re-animate his troops by degrees, who were void of experience, and much intimidated by their defeat. He accompanied them in person in foraging, to prevent surprizes by an enemy fruitful in stratagems, and whose vigilance nothing escaped.

A. R. 607.
Ant. C.
145.

SER. SULPICIUS GALBA.
L. AURELIUS COTTA.

A. R. 608.
Ant. C.
144.

Both the new Consuls extremely desired to command in Spain, and their debates upon this head divided the whole Senate. Scipio's opinion, whose quite recent glory of having destroyed Carthage gave him great authority, was expected with impatience. "I think," says he, "that both ought to be excluded; because the one has nothing, and no-
" thing will satisfy the other." If this was the Cotta, as is highly probable*, who, ten years before, would have avoided paying his debts under the refuge of the

Val. Max.
vi 4.

* This fact will be spoken of elsewhere.

A. R. 608. Tribunitian power, with which he was then invested,
 Ant. C. Scipio's censure was perfectly well applied. As to
 144. Galba, he was the person who had treacherously mas-
 sacred the Lusitanians.

App. 291. The command was, in consequence, continued to
 Fabius, who this year reaped the fruits of the wise
 conduct he had before pursued, and the strictness with
 which he had caused discipline to be observed in his
 army. The soldiers, formed by his care, and still
 more animated by his example than his discourse,
 were quite changed. They feared the enemy no
 longer, and were not averse to a battle. Viriathus
 perceived this plainly. His pride and boldness began
 to abate, after he had been defeated on several occa-
 sions. This campaign was as glorious for the Romans,
 as the preceding had been ignominious to them, and
 re-established their reputation. Fabius put his troops
 into winter-quarters at Corduba, which I shall call
 Cordova in the sequel.

A. R. 609.
 Ant. C.
 143.

AP. CLAUDIUS PULCHER.
 Q. CÆCILIUS METEL. MACEDON.

Viriathus, taught by his defeats, did not confide in his
 own forces, but sought aid from his neighbours. He
 sent Deputies to the Arvaci, the Tithi, and the Belli,
 who, since the peace made eight years before with
 Marcellus, did not seem to have moved; and engaged
 them to take up arms against the Romans, and join
 him. Viriathus's plan succeeded wonderfully. It dis-
 charged him from the greatest part of the weight of
 the war. Only a Prætor was sent against him, whilst
 the Consul Metellus marched against the Celtibe-
 rians. Most historians make the war of Numantia
 the principal city of the country of the Arvaci, as we
 have already said, begin here.

Metellus made war in Spain during two years with
 great success; the particulars of which are not come
 down to us. For want of a circumstantial account of
 his exploits, authors have preserved what is of no less
 value;

value, strokes that characterize him, and give us room to consider him as a person of very exalted merit.

A. R. 609.
Ant. C.
143.

He was a man of constancy and severity in command. When he besieged Contrebia, an important city in the country of the Celtiberians, five Roman cohorts gave way upon an occasion, and abandoned the post he had assigned them. Metellus commanded them to return to it immediately, giving orders, at the same time, to the rest of the army, to treat as enemies, and to kill, whoever should fly for safety to the camp. So rigorous an order extremely alarmed the soldiers of those cohorts, and they all made their wills, as going to certain death. The General continued inflexible; * and his constancy proved successful. The soldiers, who went to battle expecting nothing but death, returned victorious. Such force has the sense of shame, when united with fear, and such courage does despair sometimes impart!

Val. Max.
ii. 7.

The steadiness of Metellus did not however degenerate into rigour and cruelty: and he was sensible to humanity to such a degree, as to give it a preference to the hope of victory. He had made a breach in the walls of Nergobriga; and the besieged seeing themselves upon the point of being forced, thought it adviseable to place upon the breach the children of Rhetogenes, an illustrious Celtiberian, who had quitted his countrymen to adhere to the Romans. The father was not with-held by seeing the danger and death of his children, and pressed the General to give the assault. Metellus refused it, and chose rather to renounce a certain conquest, than to destroy innocent victims: He accordingly raised the siege of Nergobriga. But if he omitted taking one city, he found full amends in the voluntary submission of many others, which opened their gates with joy to an enemy of so much clemency and generosity.

Val. Max.
x. 1.

* Perseverantia ducis quem moriturum miserat, militem victorem recepit. Tantum effecit mixtus timori pudor, spesque desperatione quæsitæ. VELL. ii. 5.

A R. 609. He had, besides, another quality, highly important
 Ant. C. in the conduct of great affairs; this was, secrecy. One
 143. day, on being asked by a friend what he was going to
 Auct. de vir. Illust. undertake, "I would burn my vest," replied he, "if
 "I thought it knew my designs."

The
 Mountain
 of Venus.

With these talents, and by this conduct, Metellus gained great advantages over the Celtiberians. But the Prætor Quintius, who had succeeded Fabius in the command in Lusitania, had not the same success. He had, however, gained advantages at first; having put Viriathus to flight, and obliged him to retreat to a mountain, where he kept him blocked up in a very narrow compass: but that artful Spaniard having fallen suddenly upon him, at a time when he was not very vigilantly upon his guard, killed him abundance of men, took many ensigns, and pursued the Romans quite to their camp.

Frein-
 them. liii.
 11.

The reader may, with reason, be surprized, to see a man of neither birth nor education, as we have observed elsewhere, without support or protection, who is at the head of troops by a means entirely extraordinary, and without the sanction of publick authority, sustain, during several years, the weight of the Roman arms, with honour. His personal merit supplied him with all that he wanted in other respects. He had intrepid valour, wonderful sagacity, a perfect knowledge of the art military, an extraordinary capacity for the stratagems of war, and a patience proof against the rudest fatigues, which a robust body, and long habit of living hard, enabled him to support. With these qualities he had humanity, moderation, and justice. He equally divided the plunder acquired by the method of arms between those who adhered to him. Whatever riches fell into his power, he never thought of appropriating them to himself. After having gained so many victories, he always continued what he had been in his first campaigns: he had the same arms, the same habit, and the same outside in every thing. No feast, no rejoicing, not even that of nuptials, so legitimate and allowable, made him change any

De Offic. ii.
 40.

METELLUS, FABIVS, Consuls.

21

any thing in his usual manner of life. He always stood at table, ate only bread and coarse meats, leaving those that were more delicate to his guests. By this regular and temperate life, he retained a sound and vigorous body to the last, a mind always capable of applying to affairs, and a virtue and reputation exempt from all reproach.

A. R. 609.
Ant. C.
143.

L. METELLUS CALVUS.

Q. FABIVS MAXIMVS SERVILIANVS.

A. R. 610.
Ant. C.
142.

Fabius had Hispania Ulterior for his province. His army consisted of eighteen thousand foot, and sixteen hundred horse. As he was hastening his march to Ituca in Bœtica, with part of his troops, Viriathus advanced to meet him with six thousand men, all veteran soldiers, and accustomed to conquer. The Romans found no small difficulty in sustaining their first charge: they however maintained their ground, and the Consul pursued his march. The rest of the army having joined him, with ten elephants and three hundred horse, which Micipsa King of Numidia had sent him, he attacked Viriathus, defeated and put him to flight: but the Spaniard, whose attention nothing escaped, having observed disorder amongst the troops that pursued him, faced about against them, defeated them, killed three thousand, and pursued the rest to the gates of the camp, where the Romans shut themselves up, and neither the Consul nor the rest of the officers could prevail upon them to march out against the enemy. Night put an end to the battle. Viriathus, after having long harassed the Consul, sometimes in the night, and sometimes in the heat of the day, and having made him suffer extremely, retired into Lusitania.

App. 280.

A. R. 611.
Ant. C.
141.

Q. POMPEIUS.

C. SERVILIUS CÆPIO.

Q. Pompeius was the first of his name and family that raised himself to the great offices. The Nobility of the house of the Pompeii, which will soon become so powerful, and will hold the first rank in Rome, is of no antienter date.

The manner in which he of whom we are speaking attained the Consulship, does his probity and sincerity no great honour. Lælius stood for this office, supported with the whole credit of Scipio. Pompeius, whom they reckoned in the number of their friends, concealed the design he also had of asking the Consulship, and even promised to join them in soliciting for Lælius: but, instead of taking pains for the latter, he acted strenuously for himself; and succeeded so well, that he supplanted Lælius, and was elected Consul. He thereby lost Scipio's friendship; that is, a much more valuable good than the Consulship, especially acquired by treachery.

Val. Max.
ix. 3.

He also succeeded in having the command of the army in Hispania Citerior conferred upon him, in the room of Q. Metellus, who was his particular enemy. Metellus was highly incensed at this, and proceeded to excesses that extremely fully the praises history has hitherto given him. To prevent his enemy's having any advantage from his labours, he was not afraid to prejudice the publick affairs, and the service of the Commonwealth. He diminished his army, by giving discharges to all that demanded them: he ruined the magazines he had made for ammunition and provisions: he caused the bows and arrows of the Cretans, that served as auxiliaries in his troops, to be thrown into the river: he ordered that no provender should be given to the elephants. Deplorable example of the weakness of human virtues! they hold good against ordinary attacks, and, in consequence, long seem pure and irreproveable: but, as soon as the ruling passion comes

comes in play; as soon as the weak part of the soul is attacked, they deliver up their arms: every thing is in disorder, every thing is inverted; and it then evidently appears, that it was not virtue that was adhered to, but the splendor and homage which attend the practice of it.

Metellus, in desiring to hurt his enemy, hurt himself very much: he sullied the glory of his exploits in Spain, which were great, and deprived himself of the triumph that was to have been the reward of them.

Q. Pompeius was not so capable of conducting a war, as managing an intrigue. On arriving in his province, notwithstanding all the ill-will of Metellus, he found himself at the head of an army of thirty thousand foot, and two thousand horse. He no doubt brought with him a considerable reinforcement: but he was far from doing all the service with that army that might be expected from it.

The Arvaci, probably terrified by the number of these troops, had sent Deputies to the Consul to treat of peace with him, and all the conditions of it were settled; the principal of which were, that they should put Termetta and Numantia, the strongest places of the country, into the hands of the Romans, and should deliver up all their arms: but, when they came to the execution of this last article, it appeared so unworthy and shameful, that, looking upon each other, they asked whether they could live without arms, and without honour? Their very wives and children, transported with grief and indignation, made them the sharpest reproaches, and declared, that it would not be possible for them to acknowledge them any longer either as husbands or fathers, if they were capable of such meanness. In consequence, the treaty was broken.

Pompey then formed the siege of Numantia: but, disgusted by difficulties which he found in it contrary to his expectation, he soon after raised the siege, and made his army invest Termantia, expecting to carry it with more ease. The success did not answer his

A. R. 611. hopes. He was more fortunate in the expedition
 Ant. C. he undertook against a great body of robbers who
 141. ravaged Sedetania, of whom he purged the whole country.

Diod.apud He afterwards besieged Lanci. The Numantines
 Valef. 358. sent four hundred youth to the aid of that neighbour-
 ing and allied city. The besieged received them with
 all possible marks of joy, as their preservers. Some
 time after, finding themselves very much pressed, they
 offered to surrender, demanding no condition but to
 have their lives spared. The Romans insisting that
 the Numantines should be delivered up to them, they
 at first strongly refused to hearken to that proposal:
 but being, at length, in want of every thing, and per-
 suading themselves that necessity had no law, they let
 the Romans know secretly, that they were determined
 to do what they required of them. The Numantines
 were informed of this: being desirous that so shame-
 ful a treachery should not pass with impunity, they
 attacked the inhabitants in the night, and put many to
 the sword: the fight was rude and bloody. The Con-
 sul, informed by the noise occasioned by this tumult,
 took the advantage of it for scaling the walls, and
 made himself master of the place. All the inhabitants
 were put to the sword. He gave the Numantines who
 remained, to the number of two hundred, liberty to
 return home: whether he was moved with compassion
 for the unhappy fate of those brave men, whose ser-
 vice and zeal had been repaid only with ingratitude;
 or designed, by that act of clemency, to dispose the
 inhabitants of Numantia to submit to the Romans.

App. 293. In Hispania Ulterior, the Proconsul Fabius Servi-
 lianus, who had been continued in the command,
 took some places garrisoned by Viriathus, and a fa-
 mous chief of the robbers, called Connobas, who sur-
 rendered himself to him with all his troop. Only the
 chief was spared: Fabius caused the right hands of
 all his soldiers to be cut off; a treatment which ap-
 peared unjust and cruel, because they had surrendered
 upon the Proconsul's faith.

He

He afterwards led his army to Erisana, which he besieged. Viriathus having found means to get into the place in the night, without being perceived by the Romans, made a rude sally upon them the next morning, in which he killed them abundance of men, and pushed them to a post from whence it was difficult for the army to get off. * Viriathus did not forget himself in good fortune: he did not suffer himself to be dazzled with so soothing an advantage, but considered it as a favourable occasion for making a good peace with the Romans. Accordingly, a treaty was concluded, to the following effect: "That there should be peace and amity between the Roman People and Viriathus, and that both sides should retain what they actually possessed." This treaty, though not much for the honour of the Roman name, was ratified by the People: so burthensome did the war of Spain seem to them.

A. R. 611.
Ant. C.
141.
App. p.
294

C. LÆLIUS SAPIENS.

Q. SERVILIUS CÆPIO.

A. R. 612.
Ant. C.
140.

Hispania Ulterior fell to Cæpio, who was the brother of Fabius Servilianus; and the command in Hispania Citerior was continued to Q. Pompeius.

As soon as Cæpio was arrived in his province, he wrote to the Senate, that the treaty concluded by his brother with Viriathus dishonoured the Roman People. The Senate, by their answer, gave him permission to distress Viriathus as much as possible, but without noise. Not satisfied with this tacit permission, he returned to the charge, and insisted so often and so strongly, that the Senate at length consented that he should make open war against Viriathus. With politicians, treaties and oaths pass for nothing, when they become incommodious, and do not suit their views.

* Τὴν εὐτυχίαν ἐχέειν. Literally, did not brave good fortune. It is daring good fortune, to consider it as obliged to attend us always, as if in our pay and at our disposal,

A. R. 612.
 Ant. C.
 140.
 App. p. 294

Viriathus, not being in a condition to oppose the Consul's army, quitted Arsa, where he was when he received this news, and made great marches before him, ravaging all the places through which he passed, to retard the pursuit of Cæpio. The latter could not come up with him till he came to the frontiers of Carpetania. The Spaniard had recourse to his usual stratagems. Having chosen all his swiftest horse, he drew them up in battle upon an eminence, as if he was preparing to give battle, and in the mean time he made the rest of his troops file off through a dark winding valley, whilst the detachment he was drawing up covered their retreat. When he believed them far enough before, he set out himself full speed, well assured that the swiftness of his horses would make the enemy incapable of coming up with him, however near they were. Accordingly, they could not so much as discover what route he had taken. The Consul made his wrath fall on the Vectones and the Gallaci, by entirely destroying their country, to deprive the enemy of all hopes of aid from them.

Viriathus, seeing that the war became every day more difficult for him to support, and that several of his allies, some from necessity, and others of their own accord, quitted his party, thought it prudence to try methods for an accommodation before he had received any blow. For this purpose, he sent Deputies to the Consul; who represented to him, "That, for fourteen years, which the war had continued, there had been various advantages and losses on both sides: that their General, at a time when his affairs could not be said to be in a bad condition, had seized the first occasion which offered for making peace with the Romans: that the Consul's own brother had granted it, and that it had been ratified by the Roman People. That he did not think he had given any cause of complaint since the conclusion of that treaty; but that, without desiring to enter in any manner into discussions upon that head, he prayed the Consul to consider, that he always continued, on his side, in the same disposition
 for

for peace, and even ready to accept any other new reasonable condition which the Roman People should please to impose upon him.”

A. R. 612.
Ant. C.
140.

The Consul answered in few words with great haughtiness, “ This is not the first time, Lusitanians,” said he to them, “ that you have talked in the same strain. For several years you have asked peace, with so much earnestness that one would think you were weary of the war ; and yet you always begin it again with a virulence which shews that you cannot bear peace. It is to no purpose to speak of a treaty that subsists no longer, as the Roman People have cancelled it. The question is, whether Viriathus is sincerely disposed to submit to the Senate’s orders. Now what we principally require of him is, as he has made several of the cities of Spain quit the side of the Romans, the principal citizens of which he honourably entertains about him, that he delivers up those rebels to us. It is by this proof we shall know, that he really repents his past conduct.”

Viriathus passionately desired peace : he resolved to obey, caused part of the persons demanded to be put to death, amongst the rest, his own father-in-law, and delivered up the rest to the Consul ; who ordered their hands to be cut off. Cæpio afterwards proposed a new condition ; which was, that Viriathus and the Lusitanians should deliver up their arms. To this article neither that General nor his troops could consent ; so that the war was began again.

It is evident, that Viriathus was ready to sacrifice every thing for the sake of peace, except his liberty and that of his country. He had done but too much to purchase that peace, when he put to death and delivered up the principal persons of his allies to the Consul : and of all the actions history relates of him, this is the only one that cannot be excused. But when the question was to deliver up his arms, that is, to submit to the yoke, and be at the mercy of the Romans, he could not resolve upon it. Was he in the wrong, when

A. R. 612. when he had the examples of the perfidy and cruelty
 Ant. C. of a Lucullus and a Galba?

^{140.}
 Diod. apud Cæpio, with whom he had now to do, was not a
 Valef. 618. man of much more honour; and he had, besides, so much haughtiness and cruelty, that he was odious to the whole army, and principally to the cavalry, by whom he believed himself despised, and whom he treated, for that reason, with still less favour than the rest of the troops. To humble and mortify this corps, he ordered the six hundred horse of the two legions to go, attended only by their servants, to cut wood near the mountains occupied by the enemy: this was evidently sending them to the slaughter. The Lieutenants and Tribunes remonstrated upon it to the Consul; but he had no regard to them, and persisted in his resolution. His design was, to reduce them to come of themselves to ask favour of him, and to humble themselves before him. They chose rather to expose themselves to certain death, than to give him that unjust and malignant satisfaction. In consequence, they immediately set out. The cavalry of the allies, and many other soldiers and officers, who could not endure that so many brave men should be sacrificed to the Consul's caprice, accompanied them voluntarily. The detachment being much strengthened by this additional body of troops, cut wood without any danger.

At their return nothing was heard but murmurs, complaints, and imprecations against the Consul. In their rage, somebody happened to say, that he well deserved to be burnt himself with the wood they were carrying back. Every body took hold and applauded that word that moment; and, as soon as they re-entered the camp, they began to place the wood round Cæpio's tent. If he had not escaped their fury by flight, a Consul of the Roman People would have been burnt in his tent by his own soldiers: a thing without example.

App. 269. The danger he had been in, which did not leave him without dread, made him more desirous than ever

to see an end of this war : but, as he did not believe it possible to terminate it by honourable means, he had recourse to treachery. With money and promises he corrupted two officers sent by Viriathus to treat of peace with him, and engaged them to murder their General. Accordingly, they killed him without noise, or being discovered, having entered his tent in the night, where they found him asleep ; and immediately went to carry the news to the Consul, and to demand the reward he had promised them. He referred them to the Senate, to whom he said it alone belonged to determine, whether officers should be rewarded who had killed their General. What a monster was this !

A. R. 61e.
Ant. C.
140.

When the news of the death of Viriathus spread in the army, the whole camp resounded with cries and groans. They deplored the sad fate of their General, and their own misfortune ; having neither leader, strength, nor counsel. It was to them an increase of grief, not to know the authors of the crime, and to have the consolation of taking a just and legal vengeance of them. With faces bathed in tears they paid him the last duties with all the magnificence in their power. They laid his body upon an high funeral pile, and burnt it, after having sacrificed a great number of victims. The troops, both infantry and cavalry, marched several times round the pile, drawn up in battalions and squadrons, singing, after their barbarous manner, the praises of the dead. When the fire was out, they gathered his ashes, and placed them in a tomb. The ceremony concluded with battles between two hundred couple of gladiators.

App. 269.

Viriathus was equally a good soldier and a good General ; a man both to design and execute, full of courage, and, at the same time, of great prudence : solely intent upon the good of his troops, and indifferent to his own wants, he made himself as well beloved by them as a good father is by his children. He knew how to keep them within the bounds of their duty by an exact discipline, but tempered with lenity, and always guided by reason. Accordingly,
during

A. R. 612. during more than ten years, that he commanded, no
 Ant. C. commotion, nor any sedition, ever arose in his army.
 140. Excellent talent in a commander without birth, That
 of knowing how to make himself respected: but superior merit served him instead of nobility.

The war with Viriathus ended with his life, but not that of Spain, which, for several years more, gave the Romans no small disquiet. Pompey again besieged Numantia, which made a vigorous defence. The sallies of the besieged were so frequent, and they attacked sometimes the foragers, and sometimes the troops employed in the works, with so much ardour, that the Romans hardly dared to quit their intrenchments. Many fell in these different attacks.

App. 298. New troops arrived from Rome, sent by the Senate into Spain to relieve such of the soldiers as had deserved their discharge by six years service. Though Pompey did not rely much upon these troops, who were new levies and without experience, however, to enure them to the fatigues of war, and also to re-establish his own reputation, which was next to entirely lost, he resolved to continue the siege even during the winter. The rigor of the season, and the air and water of the country, to which those soldiers were not accustomed, occasioned many diseases, and, particularly, very painful cholicks, which made great havock in the army. To add to their misfortune, the besieged, knowing that the Romans had sent out a great detachment to intercept a considerable convoy, posted an ambuscade near the camp, and afterwards attacked the advanced guards with some troops of soldiers. The Romans not being able to suffer this insult, quitted their intrenchments in great numbers; the besieged did the same, and an action ensued; during which the Numantines suddenly quitted their ambuscade, and defeated a great part of the enemy. The victors, animated by this success, marched without loss of time against the great detachment, and cut it almost entirely to pieces.

Pompey, perceiving he had taken a wrong step, retired from before Numantia, and made his troops go into winter-quarters in several cities. But, as he expected a successor in the spring, and at his return to Rome was afraid of being accused before the People, he thought it necessary to take some measures for avoiding that danger: with this view he sent some persons in whom he could confide to the Numantines, to induce them to demand peace, by giving them hopes that very favourable conditions would be granted them. Though they might have had many advantages over Pompey, however, wearied out by the length of war, and, no doubt, because they were sensible of the great disproportion between their own forces and those of the Romans, they readily gave in to the overtures made them. When their Ambassadors appeared, Pompey, assuming an haughty tone, declared in the assembly, that he had no other conditions to propose to them, except that they should deliver up themselves, and all they possessed, to the discretion of the Roman People: but, underhand, he let them know his reasons for that language. The treaty was concluded: they made their submission in the presence of the assembly; but nothing farther was required of them but to deliver up their prisoners, with the deserters, and that they should give hostages. It was also stipulated that they should pay thirty talents, part 30,000 crowns. down, and part in a certain short time.

M. POPILIUS LÆNAS.

CN. CALPURNIUS PISO.

A. R. 613.

Ant. C.

139.

As soon as Popilius, who was appointed Pompey's successor in Hispania Citerior, arrived there, the Numantines offered to pay the remainder of the sum that had been stipulated. Pompey, who saw himself discharged from the care of the war, denied that he had made any treaty with them. The Numantines, inexpressibly surprized, and imagining all that passed a dream, exclaiming against the Proconsul's breach of faith,

A. R. 613. faith, called upon the Gods and men to witness the
 Ant. C. wrong done them; for some Senators and many offi-
 139. cers had been present at the conclusion of the treaty. The Consul referred them to the Senate; and, in the mean time, attacked the Lusones, a people in the neighbourhood of Numantia; against whom he did nothing considerable.

The Deputies of the Numantines pleaded their cause at Rome, and proved it so evidently, that it was impossible to disguise Pompey's breach of faith. He however persevered, and supporting himself by his credit, which was enormous, he persisted in denying the fact with the utmost impudence; and it was decreed, that there had been no treaty. In proportion as we proceed in our history, we shall sensibly perceive the progress which corruption of manners of every kind makes in Rome.

Cic. pro Font.n.13. It shewed itself again at the same time, in respect of the same Pompey. He was accused of extortion, and four persons of Consular dignity, the two Cæpions and the two Metelli, deposed against him. Cicero says, that the authority of those grave witnesses had not its effect, because they were considered as enemies of the accused. But to judge of this particular fact from the rest of Pompey's conduct, it is highly probable, that the credit of this factious and intriguing man carried it also in this case against right.

A. R. 614.
 Ant. C.
 138.

P. CORNELIUS SCIPIO NASICA.
 D. JUNIUS BRUTUS.

I cannot omit, before I continue our account of what passed in Spain, relating, in this place, some remarkable facts that passed this year at Rome.

Liv. Epist. The Tribunes of the People gave an example of severity highly capable of sustaining the military discipline: C. Matienus, a name known in other respects in the Roman History, had quitted the army in Spain without a discharge. He was accused, for this reason, before the Tribunes, and by their sentence condemned

to be whipped with the Furca (or gibbet) on his neck, and afterwards to be sold for * the lowest price, as being of less value than the meanest of slaves. This sentence was executed in the presence of the new-raised soldiers the Consuls were then levying.

A. R. 614.
Ant. C.
138.

This instance of severity, at a time when the glory of the Roman arms declined every day, did the Tribunes great honour: but they soon lost the merit of it, by the insolence of their conduct in respect to the Consuls. They pretended to a right of exempting ten citizens, of their own choosing, from the necessity of listing for the service in the field. This was an old dispute, which had been already carried very far, between the Tribunes and Consuls thirteen years before. The Consuls of the year we now speak of strongly opposed this attempt: and the Tribunes, in their fury, and particularly animated by Curatius, one of their own number, a man of the meanest extraction, had the insolence to commit the two Consuls to prison. † This is the first, but will not be the last instance of this violence of the Tribunes. The privilege they had, of being sacred and inviolable in their persons, made them capable of daring any thing, without its being possible to withstand them, when they were all agreed. We shall soon see this power of the Tribuneship rise to excesses still more fatal to the Commonwealth.

These two Consuls, who were treated with so much indignity, besides the respect due to their supreme station and birth, were highly to be regarded on account of their personal merit. Scipio Nasica gave a proof of his admirable constancy of mind, not only on the occasion of which I have been speaking, but in opposing and silencing the whole assembled people. Provisions were dear at Rome, and the same Tribune of the People, Curatius, was for forcing the Consuls into certain regulations in respect to corn. Nasica

* Sestertio nummo: about three half-pence.

† Cicero l. iii de leg. n. 20. says this in express terms. However, the epitome of Livy tells us, that the Consuls Lucullus and Albinus had before been imprisoned upon the same dispute.

A. R. 614. opposed this; and, as his discourse was ill received by
 Ant. C. the People, and he was interrupted by murmurs and
 138. cries, "Romans," said he, raising his voice, "be
 "silent: I know better than you what is for the good
 "of the Commonwealth." * At that word the As-
 sembly was silent out of respect; and the authority of
 a single man had more impression upon the multitude,
 than so sensible a concern as that of provisions and
 bread.

As to Brutus, he acquired much glory in Hispania
 Ulterior, whither he was sent to establish peace in
 that country.

After the death of Viriathus, a great number of
 those who had served under him submitted voluntarily.
 Cæpio took their arms from them: but, to make
 them quit the life of robbers, which they had hitherto
 followed, he conceived it necessary to transplant them
 into another country, where a settlement, and lands
 to cultivate, were given them. He had not time to
 compleat the execution of this project: Brutus put
 the last hand to it, and caused the city of Valentia
 to be built for them, settling them, as we see, in a
 place far remote from Lusitania.

By the example and under the protection of Viria-
 thus, many troops of robbers ravaged Lusitania, and
 continued to do so after his death. Brutus undertook
 to purge the province of them, which he did not effect
 without difficulty. Accustomed to live in the moun-
 tains, of which they knew all the windings and turn-
 ings, they fell suddenly in troops upon travellers, and
 even upon bodies of soldiers, and then retired to
 their holes, by by-ways almost impracticable, with a
 speed that made the pursuit of the most active and de-
 terminate enemies ineffectual. This trade the Mique-
 lets still follow in some provinces of Spain.

The Consul could conceive no other method for
 putting a stop to their incursions, than to attack the

* Quâ voce auditâ, omnes pleno venerationis silentio, majorem ejus
 auctoritatis, quam suorum alimentorum, curam egerunt. VAL. MAX.
 iii. 7.

towns and villages that belonged to them, and where they were born, in hopes that they would, perhaps, come to the relief of their countries, or, at least, that they would abandon those places to his soldiers, the plunder of which would make them amends for all their pains and fatigues. He found more resistance there than he expected; not only the men, but the women, took arms, to defend their houses and effects. These Lusitanian women went to battle like men, and endured wounds and death with the same courage. It was, however, necessary to give way to force; and the inhabitants of those places, finding it impossible to resist the number of their enemies, which was infinitely superior to their own, removed all the effects they could carry away to the mountains, and thereby secured their persons and goods. But at length, being desirous to prevent the total ruin of their country, they sent Deputies to the Consul to make their submission; who very willingly granted them pardon and peace.

A. R. 614.
Ant. C.
138.

On another side, Popillius, who had been continued in command in Hispania Citerior, according to the orders of the Senate, renewed the siege of Numantia. The inhabitants did not, according to their former custom, march out to meet the Romans, and made no sallies upon them, keeping close within their walls, without appearing or making any motion. This continued for some days; which made the Proconsul believe that the besieged, tired and disgusted with their former losses, were entirely discouraged. In consequence, he ordered his troops to apply ladders to the walls, in order to scale the city; which they did without delay, and with great ardor. The tranquility which still continued in the city, without the appearance of any soldier upon the walls, gave Popillius some suspicion, and he immediately gave orders for sounding the retreat. The soldiers, who had flattered themselves with carrying the city by assault, and enriching themselves by the great plunder they should find in it, obeyed but slowly, and with reluctance. It was at this instant that the besieged sallied through

Frontin.
Stratag.
iii. 17.

A. R. 614. different gates, threw down all who had mounted the
 Ant. C. ladders, vigorously attacked the reft, who had not
 138. time to draw up in battle, and defeated part of the
 army

A. R. 615. M. ÆMILIUS LEPIDUS.
 Ant. C. C. HOSTILIUS MANCINUS.
 137.

Liv. Epit. Mancinus came to complete the difgrace of the
 App. 300. Romans before Numantia. It is faid, that, when he
 fet out from Italy, many finifter omens foretold the
 misfortune that waited him: but the true omen was,
 his incapacity and want of courage. An author, of
 no great weight, does him the honour, however, to
 fuppofe, that he refolved to re-eftablifh difcipline
 amongft his troops before he expofed them to a battle.
 Appian. But it is certain, from the testimony of all Hiftorians,
 Liv. Epit. that no action or skirmifh paffed in which the Numan-
 Plut. in tines had not always the advantage; which fenfibly
 Graccho. augmented their boldnefs, and difcouraged the Ro-
 mans. This, at length, came to fuch a pitch, that
 the Roman fouldiers could neither fupport the voice or
 fight of a Numantine.

Mancinus, in fuch a fituation, believed he could
 not do better than to quit his camp in the night, and
 to remove his troops, for fome time, from Numan-
 tia, with the view of difpelling their terror by degrees,
 and of giving them time to refume the courage and
 boldnefs natural to the Romans. Appian fays, a falfe
 report, that the Cantabrians and Vaccæi were coming
 to the aid of their countrymen, made him take this
 refolution. However it were, he retired in the night
 with great f Silence. The Numantines being informed
 of his retreat, fet out to only the number of four
 thoufand, purfued thofe who fled without lofs of time,
 attacked them in the rear, made a great flaughter of
 them, and pushed the reft into very difficult places,
 Plut. from which there was almoft no way to retire; and,
 Liv. Epit. though the Roman army confifted of above twenty
 thoufand men, they furrounded them in fuch a man-
 ner,

ner, that it was impossible for them to extricate themselves. This can hardly be conceived.

A. R. 615.
Ant. C.

Mancinus, despairing of opening himself a way by force, sent an herald to the Numantines to ask some conditions. They answered, that they would confide only in Tiberius Gracchus, and demanded that he should be sent to them: he then served under Mancinus in quality of Quæstor, that is, of Treasurer. This great confidence which they expressed for him was founded partly upon his personal merit; for the whole army resounded with his name and virtues. It proceeded also from the remembrance of his father, who having formerly made war in Spain, and subjected several nations, had granted the Numantines peace, and had taken care that they should enjoy it. Tiberius was accordingly sent. He conferred with the principal officers of the enemy. The treaty was concluded. The particular articles are not known; but the conditions were equal between the two states. The Numantines, taught by the example of Pompey's perfidy, took a precaution, which, however, proved of no great use to them: this was, to make the Consul, Quæstor, and principal officers, engage by oath to cause the treaty now made to be observed. When every thing was thus regulated, the Romans set out, leaving all the riches of their camp in the hands of the Numantines.

Amongst the spoils were the registers of Tiberius, in which were the account of all the sums received and expended whilst he had been Quæstor. As it was highly important for him to recover them, he left the army on its march, and went to Numantia, attended only by three or four of his friends. The Numantines received him perfectly well; treated him with all the marks of respect and amity, and forced him to accept of an entertainment with them: after which they returned him his register, and pressed him to take any part of the spoils that he thought fit. He accepted only incense, which he employed for the publick sacrifices,

A. R. 615. crifices, and resumed the route of the army, well
 Ant. C. satisfied with his whole treatment by the Numantines.
 137.

Appian. As soon as the news of this treaty arrived at Rome, the Senate began by recalling Mancinus, and ordered him to return to the city to give an account of his conduct; and, at the same time, made Æmilius, his Colleague, set out, to take his place.

App. 302. As soon as Mancinus returned to Rome, his affair was examined in the Senate. He there modestly justified his conduct, partly imputing all the misfortunes that had happened to him to the bad condition in which he had found the army; insinuating, that he might perhaps be allowed to ascribe them also to the wrath of the Gods, incensed that war had been declared against the Numantines without any visible cause; and excusing the treaty from the indispenfible necessity of consenting to it, in order to preserve the lives of above twenty thousand citizens: that, for the rest, contented with having rendered the Commonwealth that service, he should quietly expect the decision of his fate from the Senate, being ready to sacrifice with joy his liberty and life to the utility and honour of his country. The Senate also gave audience to the Deputies of Numantia. But the best support of this whole cause was Tib. Gracchus, who thought it very strange, that it should be made a crime in him to have preserved the Commonwealth so great a number of citizens. He was seconded by all the relations and friends of those who had served in this war, that is, the greatest part of the People. All of them extolled the greatness of the service which Tiberius had rendered the State: and though they willingly gave up Mancinus, on whom alone they laid the infamy of this treaty, the interests of the Quæstor were so closely united with those of his General, that it was not possible but that the protection which Tiberius found amongst the People, should also have some effect in favour of Mancinus. The affair was not decided till the year following.

Whilst all this passed at Rome, the Consul M. ^{A. R. 615.} Æmilius being arrived in Spain, and desiring to sig- ^{Ant. C. 137.} nalise himself by some enterprize, made war against ^{Appian. 300—302.} the Vaccæi, who were very quiet, and besieged Pallantia, the strongest place of the country. He associated D. Brutus with himself in this project, who commanded in Hispania Ulterior in quality of Proconsul. They had already united their troops, when two Deputies of the Senate arrived from Rome with a decree, expressly forbidding the Consul to undertake any thing against the Vaccæi. He gave them the reasons he had for attacking that people: and concluding that the good success of his enterprize, which he considered as certain, would justify him entirely with the Senate, he obstinately persisted in his scheme, which did not succeed as he had expected.

The siege continued long, and the besiegers began to be in want of provisions. A considerable convoy was upon the point of arriving under the command of a General officer named Flaccus, when unfortunately the enemy issued suddenly from an ambuscade where they waited for him, and surrounded him on all sides. Flaccus would have perished there, with his whole detachment, but for a stratagem which happily came into his head. He spread a report throughout his troops, that the Consul had at length made himself master of Pallantia. They raised great cries of joy, which infinitely discouraged the enemy; and upon that news, which they believed very true, they retired immediately. Flaccus, by the means of this happy lie, saved his convoy and detachment, and arrived in a manner triumphant in the camp.

But this supply was of no long duration, and famine began again to be felt so sensibly, that it every day destroyed a great number of beasts and men. The Consul was in despair, and made his troops decamp in the night. It is easy to conceive the disorder and confusion which must take place on so sudden and precipitate a departure. The cries of the sick and wounded, who in vain implored the help of their com-

A. R. 615.
Ant. C.
137.

rades, and loaded them with imprecations on seeing themselves inhumanly abandoned to the mercy of the enemy, soon apprized the besieged of the Consul's nocturnal flight. They quitted the city in a body, and having come up with the flying troops before sunrise, they incessantly harrassed them during the whole day, attacking them sometimes in the rear, and sometimes in the flanks. They might have destroyed the whole army, if they had continued the pursuit; but the approach of night obliged them to return home. The Roman troops escaped as they could, dispersing themselves on all sides. Six thousand men were lost on this defeat.

Frein-
them.

Brutus was the only one who consoled Rome for this bad news, by the good success he continued to have in Hispania Ulterior. He took above thirty towns, and carried his victorious arms as far as the ocean on the west. What did him most honour with the soldiers, was his passing the river Lethe. That name, by which one of the rivers of hell was called, and of which the Romans had never heard before, terrified them to such a degree, that not one of them dared to approach it. Brutus, without the least concern, snatched an ensign from one of the Vexillarii, and, crying out, "This ensign and your General will soon be on the other side," he passed the river, and was followed by the whole army. He afterwards passed the Minius, one of the greatest rivers of Lusitania. He found the people determined to defend themselves well. The women themselves fought with masculine courage, and, when they were taken prisoners, killed themselves and their children, preferring

Orf. v. 5.

death to slavery: he, however, reduced them. It is said, that having made them fall into ambuscades, into which their rash boldness precipitated them, he killed them fifty thousand men, and took six thousand. These successes acquired him the surname of Gallæcus, or Callæcus, conqueror of the people of Galicia.

P. FURIUS PHILUS.

SEX. ATILIUS SERRANUS.

A. R. 616.

Ant. C.

136.

As soon as the new Consuls entered upon office, the Senate came to a determination in respect to Mancinus, and upon the treaty which he had concluded. The treaty was cancelled, as made without the authority of the Senate and People of Rome: and it was decreed, that all those who had sworn to the observance of it should be delivered up to the Numantines. Two Tribunes took upon them to propose to the People the authorizing this decree of the Senate by their suffrages.

Mancinus, on this occasion, made himself admired for his courage, and shewed himself as good and generous a citizen, as he had been a timorous General. When the law was proposed by the Tribunes, conformably to the Senate's decree, he harangued the People in support of it, though it was to prove fatal to himself: and in that renewed the example which had of old been set by Sp. Postumius, after the treaty of the Furcæ Caudinæ.

Tiberius did not pique himself upon the like generosity. He separated his cause from that of his General, and by his credit, his own and his friends sollicitation, prevailed upon the People to authorize the Senate's decree only in part, and to condemn Mancinus only to be delivered up to the Numantines. Tiberius carried the thing much farther: he could not pardon the Senate the wrong he pretended they had done him; and the desire of revenging himself did not a little contribute to those turbulent and hazardous enterprizes which occasioned so many misfortunes to the Commonwealth, and to himself an unhappy and deplorable death.

In consequence of the People's decree, Mancinus was put into the hands of the Consul P. Furius, to be carried to Spain, and delivered up to the Numantines by one of the heralds (Feciales) called Pater Patratus.

He

App. 302.
Cic. de
Offic. iii.
109.

Cic. de
Orat. i.
181.
App. ibid.

A. R. 616.
Ant. C.
136.

He was, accordingly, brought to the gates of Numantia naked, and bound hand and foot. But the Numantines refusing to receive him, the Romans would not take him back; so that a man, who had been Consul the year before, and at the head of a great army, passed the whole day between the camp and the city, abandoned by his own people, and rejected by the enemy; till, night being come, the Romans permitted him to enter the camp. He returned to Rome, and would have entered the Senate as usually before; but that was opposed. P. Rutilius, one of the Tribunes of the People, pretended that he was no longer a citizen. The Tribune did not act in this manner out of ill-will, but because he believed the thing contrary to the sense of the laws. And indeed, those who, after having been taken by the enemy, returned into their country, repossessed all the rights of which captivity had deprived them; and this is what was called *Jus Postliminii*. But * the Tribune represented, that, by immemorial tradition, whoever had been sold by his father or the People, or delivered up to the enemy by the *Fæcialis*, should have no share in the privilege and right of return. It was necessary, that the authority of the People should interfere; who reinstated (rehabilitated) Mancinus, and declared that he should always be considered as a citizen, and enjoy all the rights annexed to that condition. He even afterwards attained the *Prætorship*. Mancinus, to preserve the remembrance of this event, caused a statue to be erected, which represented him in the same circumstance and attitude he was in when delivered up to the Numantines.

Plin. xxiv.
15.

Val. Max.
iii. 7.

The monuments of history come down to us, contain nothing either done or attempted by Furius against the Numantines. All that we know is, that he was a wise

* P. Rutilius Tribunus plebis de Senatu jussit educi, quod eum civem negaret esse: quia memoria sic esset proditum, quem pater suus aut populus vendidisset, aut pater patratu dedidisset, ei nullum esse postliminium. Crc.

FULVIUS, CALPURNIUS, Consuls.

43

and moderate man; of which he gave a proof, in choosing Q. Metellus and Q. Pompeius, both his enemies, and enemies to each other, for his Lieutenants. They had reproached him with having taken pains to acquire the command of the armies. He carried them with him, confiding in his own virtue, because he did not fear to have witnesses whom hatred might render very attentive in observing all that might admit of censure in his conduct.

A. R. 616.
Ant. C.
136.

SER. FULVIUS FLACCUS.

Q. CALPURNIUS PISO.

A. R. 617.
Ant. C.
135.

Nothing considerable passed under these Consuls in Spain. The war which had subsisted there so long, mortified and dishonoured the Roman People exceedingly. After having conquered so many powerful nations, they had the grief and shame to see, for many years, all their efforts miscarry before one city, and their armies almost entirely beaten, by enemies who, of themselves, were very weak, and whom the incapacity only of their Generals had hitherto rendered formidable. To remedy such great evils, they seriously thought of employing some person of known and experienced merit, whose ability might reinstate the honour of the Commonwealth. There was no occasion to deliberate long upon this choice. The Destroyer of Carthage seemed the only one capable of terminating the war of Numantia. Accordingly, when the question was to elect magistrates for the ensuing year, Scipio having come into the field of Mars to solicit in favour of Fabius Buteo, his brother's son, who stood for the Quæstorship, the Roman People elected him Consul. * Thus we see him twice elected Consul, and both times without asking it, which was contrary to custom, and very extraordinary;

Cic. de
Amicit.
n. 11.

* Consulatum petivit nunquam, factus est Consul bis: primum, ante tempus; iterum sibi suo tempore, reipublicæ penè serò: qui, duabus urbibus everfis inimicissimis huic imperio, non modò præsentia, verùm etiam futura bella delevit. Cic.

A. R. 617. the first before the time in respect to age; the second
 Ant. C. at the time, but almost too late for the Common-
 135. wealth, which, in the preceding years, had been in
 great want of such a General. He was destined to
 destroy the two cities, which may be considered as
 the greatest enemies of Rome, and thereby to acquire
 the glory not only of putting an end to present, but,
 also, of preventing future wars.

A. R. 618.

P. CORNELIUS SCIPIO II.

Ant. C.

C. FULVIUS FLACCUS.

134.

Appian.

302, 303.

Plut. in

Apoph-

thegm.

201.

Lots were not admitted to determine the provinces
 of the Consuls: that of Spain was given to Scipio by
 the Senate. Abundance of citizens presented them-
 selves voluntarily to serve under him: the Senate
 would not grant them that permission, giving for rea-
 son, that it was the means to desert Italy, and that
 Rome had many wars to sustain at the same time.
 The revolted slaves in Sicily actually gave the Romans
 great employment. Besides which, Spain seemed to
 have more occasion for a General, than for troops, the
 legions commanded by preceding Consuls having
 always remained there. Scipio was only permitted to
 raise such aids as he could from the cities and States
 with which he had any particular ties. He drew to-
 gether about four thousand men of this kind, in-
 cluding a squadron of five hundred Emeriti (soldiers
 who had served the usual time) which he formed
 out of the chosen troops, attached to his person, and
 called "the squadron of friends." No ready money
 was given him: he had only assignments upon the
 revenues of the Commonwealth, not yet paid in.
 He was the more reconciled to this last article, as he
 could raise sums from his own purse and those of his
 friends to supply his wants; but the refusal of raising
 new troops affected him sensibly; those which he was
 to find in Spain having been often defeated; and
 whether by the courage of the enemy, or their own
 cowardice,

cowardice, it was difficult to make them perform any good service.

A. R. 618.
Ant. C.

When Scipio arrived in Spain, he found the troops in a miserable condition, with neither order, discipline, or respect for their officers, and abandoned entirely to luxury, idleness, and licentiousness. He immediately conceived, that, before he could think of attacking and overcoming the enemy, it would be necessary to take pains for reforming his army; and it was to this that he devoted his whole care and application.

134.
App. 303.
Frontin.
Stratag.
iv. 1.

He began by banishing every thing from the camp that tended only to the support of luxury, the super-numerary sutlers and servants, especially the prostitutes, that were to the number of two thousand. He caused a great number of carriages and carriage-beasts to be sold, which the soldiers used for moving their baggage, and retained only such as were absolutely necessary. He left them no other utensils except spits, kettles, and pots, and no food but boiled or roasted flesh. He retrenched beds for eating, and ordered that they should use none but a kind of * squab stuffed with straw; and set them the example himself. He made them make long marches, laden with their baggage, provision of corn for fifteen or twenty days, and seven palisades. He also made them dig trenches, plant palisades, and raise walls; and demolished the whole immediately after, proposing no other end to himself but to enure them to fatigue; saying, "that those † ought to be covered with dirt, who were afraid of being so with blood." He was present in person at all these exercises, and exacted labour and obedience with great severity. He often said, "that austere and rigid Generals were of great advantage to their armies; and indulgent ones, to the enemy: for, added he, the camps of the latter look gay, but the orders of the

* The Greek word properly signifies a bundle of leaves and twigs wrapt up in a cloth.

† Luto inquinari, qui sanguine nollent, jubebantur. FLOR.

A. R. 618. Generals are despised in them; those of the others
 Ant. C. seem sad and gloomy; but the troops are obedient
 134. and ready on every call in them."

Appian. In a short time the army entirely changed aspect,
 304—306. and became quite different. He then approached Numantia; but would not attack those terrible enemies till he had first seasoned his troops for war by different expeditions against the neighbouring States. The whole campaign passed almost in this; and he did not think the time lost, having put an end to the contempt the enemy had for his army, and enabled it to act against them with vigour at the proper time.

Sallust. in After this he returned to Numantia, to go into winter-quarters. It was there Jugurtha, the grandson of bell. Jugurth. Masinissa, joined him. Micipsa sending an aid of App. 306. elephants, with a great number of archers and slingers, put Jugurtha at the head of them, not out of consideration for that young Prince, but, on the contrary, to rid himself of him, by exposing him to the dangers of so hot a war as that of Spain, from whence he was in hopes that he would never return. He was deceived in his expectation, as we shall see in the sequel.

Vell. ii. 9. Marius, who was one day to conquer Jugurtha, served at this time with him under Scipio, who treated both with great marks of esteem. He delighted to favour and cultivate rising merit: rewards, praises, marks of particular friendship, were all employed to encourage the young warriors, and make them tread the paths of glory.

A. R. 619. P. MUCIUS SCÆVOLA.
 Ant. C. L. CALPURNIUS PISO FRUGI.
 133.

This year was famous for the commotions excited by Ti. Gracchus on one side, and for the taking of Numantia on the other, which terminated a long and dangerous war. We shall treat, at present, only of the latter event.

Appian. The end and plan followed by Scipio, in respect to the Numantines, during the preceding campaign, and that

that now beginning, had been, and still was, not to venture a battle with them, to damp the ardor of their courage, and to subdue them by famine in ruining their country, and endeavouring to intercept all their convoys. Only once he came to blows with them; because his foragers, upon whom the Numantines had sallied, were in danger. He forced them to fly, but did not pursue them, contenting himself with letting his soldiers see Numantines flying before them, which seemed almost a prodigy. The besieged having several times demanded peace without effect, rightly perceived, that they could obtain it only sword in hand, and, being almost in despair, they frequently offered Scipio battle, who constantly pursued his plan, without regard to their imputations of fear and cowardice. He often repeated, with praise, the saying of his father Paulus Æmilius, * “that battle ought not to be given except in effect of great necessity, or a very favourable occasion.”

A. R. 619.
Ant. C.
133.

To deprive the Numantines of all hope and resource, he began a line of contravallation round their city. He had settled two camps, and given the command of the one to his brother Fabius, reserving that of the other to himself. Part of the army was employed in carrying on the works, and the other in defending the workmen. Numantia was situated upon an hill, and was about twenty-four Stadia in circumference, that is, almost a league. The line of contravallation was twice as large. The workmen had orders, when they were attacked by the enemy, to make a signal immediately, in the day-time by holding up a purple cassock on the end of a pike, and in the night by fire; in order that aid might be instantly sent them.

When this work was finished, a second, not far from it, was began. A trench was dug, strengthened with palisades, and a wall was erected, eight feet thick and ten high, without including the battlements.

* (Negabat Paulus) bonum Imperatorem signis collatis decertare, nisi summa necessitudo, aut summa ei occasio data esset. AUL. GELL. xiii. 3.

A. R. 619.
Ant. C.
133.

This wall was flanked with towers from space to space throughout its whole extent. In a morais, through which the line of the wall ran, he caused a mole to be made of the same thickness and height. Appian says, that Scipio was the first who surrounded a city in this manner with lines, that did not decline a battle.

The river Durius (now the Duero, or Douro) remained, which running along the walls, was a great support to the city, and afforded means for bringing provisions and troops into it. The men entered it without being perceived, either by diving, or in small boats, which carried them to it in a rapid manner, either by the help of sails or oars. Appian says, that the river was too broad and rapid for laying a bridge over it; which it is not easy to conceive, as Numantia was situated at no great distance from the source of the Durius. However that were, according to him, Scipio used the following expedient for shutting up that river. He built two forts on the opposite banks, from which he laid a bar of long and strong beams, made fast at the two ends with great cables. Those beams were armed with long spikes of iron, which being perpetually agitated by the motion of the water, shut up the passage against swimmers and divers, and such as were for approaching in barks.

By all these works Scipio made it impossible for the besieged to receive either provisions, succours, or advices, and kept them entirely ignorant of what passed without.

When all was compleated, and he had placed all kinds of machines in the towers, supplied the walls with stones, darts, and javelins, and with archers and slingers in the two forts; he posted soldiers throughout the whole extent of the intrenchments, at no great distance from each other, who, night and day, were to inform the sentinels next them of all that passed, and came to their knowledge. Each tower had orders, as soon as it should be attacked, to make the signal agreed upon, and all the rest immediately to do the same.

same. Thus the signal of the tower gave notice that some movement was making, and the sentinels that gave advice told the cause and particulars.

A. R. 619.
Ant. C.
133.

The army, including the auxiliary troops which Scipio had drawn together from the States of Spain in alliance with the Romans, consisted of sixty thousand men. Half of them were employed in guarding the walls; twenty thousand to fight when necessary, and ten thousand to relieve and support the latter. Every one had his post and duty assigned him; and the orders received were immediately executed.

The Numantines frequently attacked those who guarded the walls at different places: but the defence was as sudden as the assault: for the signals were given on all sides; the sentinels who gave advice were immediately in motion; the soldiers destined for battle marched that moment towards the part of the wall which was attacked; and the trumpets from the tops of all the towers animated the combatants. Thus the whole extent of the lines, which was fifty stadia (more than two leagues) spread terror by all this motion and noise; and Scipio did not fail to visit every part of them every day and night. He rightly judged, that the enemy, shut up in this manner, could not long hold out against him: and he so firmly assured himself of reducing them by famine, that having an opportunity of cutting a body of the Numantines in pieces, who had sallied in order to forage, he resolved to let them re-enter the city; saying, the more there was of them the sooner their provisions would be consumed.

Notwithstanding all these precautions, a Numantine, a man of sense and courage, called Rhetogenes Caraunius, taking advantage of a dark and cloudy night, found means, with some friends, to pass over the walls by the help of ladders, which they carried with them, and to repair to the several cities of the Arvaci, to implore their aid in favour of the Numantines, their neighbours and brethren, reduced to the last extremity, and menaced with the most dreadful misfortunes. But the whole country was in so great

A. R. 619. terror, that they would not so much as hear Rhe-
 Ant. C. togenes; and wherever he applied, he was ordered to
 133. retire immediately.

App. 308. He was received favourably only at Lutia, a considerable city, situated twelve leagues from Numantia. The youth interesting themselves warmly for the Numantines, occasioned aid to be promised them. The elders, who had been of a different opinion, gave Scipio secret advice of this without loss of time. The Roman was no less expeditious on his side. It was two in the afternoon when he received the news; and the next day, before sun-rise, he was before the city with a great body of troops. He demanded that the principal persons of the youth should be delivered up to him. Upon being answered that they had escaped, he threatened to storm the place. It was necessary to obey: four hundred of them were sent to him, whose hands he caused to be cut off. He set out directly on his return, and the next day re-entered his camp at day-break.

I ought not to omit here a new instance of Scipio's generosity and disinterestedness, though it has no other relation to the war with the Numantines, than having agreed with it in point of time. Whilst that General was incamped before Numantia, considerable presents came to him from Antiochus Sidetes, according to
 Epit. 57. Livy's epitome; or from Attalus, according to Cicero.
 Cic. pro. It was then the custom with the Generals to conceal
 Dej. n. 14. this kind of presents, and convert them to their own advantage: but Scipio, who was much above so mean an avidity, would receive them in presence of the whole army; he caused them to be entered in the Quæstors accounts, and declared, that he would employ them to reward those who should distinguish themselves by their bravery.

App. 309. In the mean time, famine reduced the Numantines to extremity. They deputed six of their citizens to Scipio, to obtain favourable conditions of him. Abarus was at their head, and spoke. "He began by highly extolling the courage and greatness of soul of the Numantines,

Numantines, of which he gave for proof all the calamities they had hitherto suffered in defence of their liberty. He added, that Scipio could not but honour virtue wherever he found it, and spare a people who undoubtedly merited his esteem: That the grace he came to demand for that People, who were ready to surrender themselves to the Romans, was either to treat them with humanity, or to suffer them to perish gloriously in battle sword in hand." Such lofty discourse was not proper for exciting compassion. Scipio replied in few words, " That the only condition he could grant them was, that they should abandon themselves entirely to the discretion of the Romans, and deliver up all their arms."

A. R. 619.
Ant. C.
133.

The Numantines, accustomed to a kind of savage liberty, which rendered them incapable of bearing any yoke, were naturally very violent and outrageous; and the extremity of the calamities which they had long suffered, had made them still more fierce. Scipio's answer, when reported, put them into a fury, and threw them into a kind of madness that made them no longer masters of themselves. In their despair they fell upon Abarus, who brought them this mournful answer, and imagining that, for the sake of his private interest with Scipio, he had neglected and betrayed those of the city, they massacred him; with the other Deputies.

App. 309.

They several times attempted to make sallies, but always ineffectually. Scipio persisted firmly in his resolution not to hazard a battle. In the mean time, famine made dreadful havock in the city. After having exhausted all the resources which extreme necessity suggests in times of such misery, they at length came to eating human flesh; and despair stifling, in many, all sense of humanity, the weak became the prey of the strongest, who were not afraid, for prolonging a miserable life for a few moments, to kill and devour their fellow-creatures and citizens.

App. 310.

They were no longer men, but spectres: so much had misery, hunger, sickness, and all manner of evils

Ibid.

A. R. 619.
Ant. C.
133.

united, effaced their aspects, and given their whole appearance an haggard and distracted look. At length they surrendered to Scipio; who ordered them, the same day, to bring to him all their arms. They asked some delay as a favour; many not being able to resolve to sacrifice their liberty, and desiring to die free in their yet free country, killed themselves. Scipio granted them two days. Rhetogenes, of whom we have spoke before, the richest and most powerful of the citizens, occupied the finest quarter of the city. He set it on fire, and having drawn together all such as, like himself, were ardent for their liberty, he put swords into their hands to kill each other in single combat, and, in that manner, to die like brave men. He concluded this barbarous ceremony by stabbing himself, and leaping into the flames. The third day, those who remained repaired to the place assigned them. Scipio reserved only fifty of them for his triumph, sold all the rest, entirely demolished the city, and distributed the territory of Numantia amongst the neighbouring people. That unfortunate city was, however, rebuilt afterwards, as mention is made of it in the Geographers of later times. The ruins of it were still to be seen in Mariana's time.

App. 311.

The news of the taking of Numantia occasioned great joy at Rome. The usual thanksgivings were made to the Gods, and the Senate nominated ten Deputies to regulate the affairs of Spain, in concert with Brutus and Scipio. Those two Generals being returned to Rome the year following, triumphed, the first over the Gallicians and Lusitanians, People of Hispania Citerior. Brutus assumed the surname of Callaicus: Scipio added to the surname of Africanus, which he bore already with a double title, that of Numantinus.

The Numantines are a fine example of what loftiness of courage is capable, when sustained by an ardent love of liberty. At the beginning of the war there were only eight thousand men in the city that bore arms. However, with that small number, for

how many years did they make head against the Romans! How often did they beat their Generals! What misfortunes and disgraces did they not make them suffer! Even in this last year, Scipio, at the head of sixty thousand men, seemed still to fear them in some measure, and would never hazard a battle, which they offered him more than once. This was wisdom in him. That great man, sure of gaining a compleat victory over them by the means of time only, would not advance it a few days at the expence of his soldiers blood, which he thought himself obliged to spare, as a good father does his children. But, at the same time, a great proof of the courage of the Numantines was, Scipio's circumspection in respect to them with so great a superiority of forces.

A. R. 619.
Ant. C.
133.

There is no one, I believe, who is not moved with compassion for the deplorable fate of this brave People, whose whole crime was not being willing to submit to the sway of an ambitious Commonwealth, that pretended to give laws to the universe. Florus plainly affirms, that the Romans never made a more unjust war than that against Numantia. But if the testimony of that writer, who was a Spaniard by origin, and of a warm imagination, is to be rejected, at least it is certain, that the Numantines, during the course of the war, several times made reasonable proposals of peace, and shewed more frankness and regard for justice than the Romans. It therefore does not seem easy to justify the entire ruin of that city. I am not surprized that Rome destroyed Carthage. That State was a rival which had rendered itself formidable, and might have become more so, if suffered to subsist. But the Numantines were not in a condition to make the Romans apprehend the ruin of their empire: and I do not see that Cicero * had any foundation for comparing them with the Cimbri, who came to invade Italy. Anger, and the spirit of revenge, seem to have led the Romans

* Sic cum Celtiberis, cum Cimbris bellum, ut cum inimicis, geratur, uter esset, non uter imperaret. Cic. de Offic. i. 38.

A. R. 619. into the resolution they took to destroy Numantia ;
 Ant. C. or, perhaps, the policy of conquerors. They were for
 133. shewing, by a signal example, that every city and
 people, which resisted them obstinately, had nothing
 to expect but entire ruin.

PRIVATE LIFE of SCIPIO AFRICANUS.

THE taking of Numantia, which terminated a war that disgraced the Roman name, completed Scipio's military exploits. But, in order to have a more perfect idea of his merit and character, it seems that, after having seen him at the head of armies, in the tumult of battles, and in the pomp of triumphs, it will not be lost labour to consider him in the repose of a private life, in the midst of his friends, family, and household. The truly great man ought to be so in all things. The Magistrate, General, and Prince, may constrain themselves, whilst they are in a manner exhibiting themselves as spectacles to the publick, and appear quite different from what they really are. But, reduced to themselves, and without the witnesses who force them to wear the mask, all their lustre, like the pomp of the theatre, often abandons them, and leaves little more to be seen in them than meanness and narrowness of mind.

Scipio did not depart from himself in any respect. He was not like certain paintings that are to be seen only at distance : he could not but gain by a nearer view. I shall not repeat in this place what I have said before, of the generous manner in which, while very young, he acted in his family ; of that noble disinterestedness which acquired him so great a reputation ; and, which does not seem less estimable, of that * sincere and constant respect for his brother, because the elder, notwithstanding the superiority of his own merit, that placed him infinitely above him.

* Scipio Q. Maximum fratrem, omnino sibi nequaquam parem, quod is anteibat ætate, tanquam superiorem colebat. Cic. de Amic. 69.

The excellent education which he had had, through the care of his father Paulus Æmilius, who had provided him with the most learned masters of those times, as well in polite learning as the Sciences, and the instructions he had received from Polybius, enabled him to fill up the vacant hours he had from publick affairs profitably, and to support the leisure of a private life with pleasure and dignity. This is the glorious testimony given of him by an historian: "No-body * knew better how to mingle leisure and action, nor to use the intervals of rest from public business with more elegance and taste. Divided between arms and books, between the military labours of the camp, and the peaceful occupations of the closet, he either exercised his body in the dangers and fatigues of war, or his mind in the study of the sciences."

The first Scipio Africanus used to say, † That he was never less idle than when at leisure, nor less alone than when alone. A fine saying, cries Cicero, and well worthy of that great man. And it shews that, even when inactive, he was always employed; and that when alone he knew how to converse with himself. § A very extraordinary disposition in persons accustomed to motion and agitation, whom leisure and solitude, when they are reduced to them, ‡ plunges into a disgust for every thing, and fills with melancholy; so that they are displeased in every thing with themselves, and sink "under the heavy burthen of Boileau. having nothing to do." This saying of the first Scipio seems to me to suit the Second still better, who having the advantage of the other by being educated in a taste for polite learning and the sciences, found

* Neque enim quisquam hoc Scipione elegantius intervalla negotiorum otio dispinxit: semperque aut belli aut pacis servit artibus; semper inter arma ac studia versatus, aut corpus periculis, aut animi disciplinis exercuit. VELL. PATERC. i 13.

† Nunquam se minus otiosum esse, quam cum otiosus; nec minus solum, quam cum solus esset. De Offic. iii. 1.

§ Itaque duæ res, quæ languorem afferunt ceteris, illum acuebant, otium & solitudo. Ibid.

‡ Hinc illud est tedium, & displicentia sui & nusquam residentis animi volutatio, & otii sui tristis atque ægra patientia. SENECA. de tranq. anim. ii.

in that a great resource against the inconvenience of which we have been speaking. Besides which, having usually Polybius and Panætius with him, even in the field, it is easy to judge that his house was open, in times of peace, to all the Learned. Every body knows, that the comedies of Terence, the most accomplished work of that kind Rome ever produced, for natural elegance and beauties, are ascribed to him and Lælius, of whom we shall soon speak. It was publickly enough reported, that they assisted that poet in the composition of his pieces; and Terence himself makes it an honour to him in the prologue to the *Adelphi*. I shall undoubtedly not advise any body, and, least of all, persons of Scipio's rank, to write comedies. But on this occasion let us only consider taste in general for letters. Is there a more ingenuous, more affecting pleasure, and one more worthy of a wise and virtuous man, I might perhaps add, or one more necessary to a military person, than that which results from reading works of wit, and the conversation of the Learned? * Providence thought fit, according to the observation of a Pagan, that he should be above those trivial pleasures, to which persons without letters, knowledge, curiosity, and taste for reading, are obliged to give themselves up.

Another kind of pleasure, still more sensible, more warm, more natural, and more implanted in the heart of man, constituted the greatest felicity of Scipio's life: this was that of friendship; a pleasure seldom known by great persons and Princes; because, generally loving only themselves, they do not deserve to have friends. However, this is the most grateful tie of human society; so that † the poet Ennius says with great reason, that to live without friends, is not to live. Scipio had undoubtedly a great number of

* Quanto plus delectationis habiturus, quam ex illis ineruditis voluptatibus! Dedit enim hoc Providentia munus hominibus, ut honesta magis juvant. *QUINTIL.* i. ii.

† Cui potest vita esse vitalis, qui non in amici mutua benevolentia conquiescat? *De Amicit.* 22.

them, and those very illustrious: but I shall speak here only of Lælius; whose probity and prudence acquired him the surname of the Wise.

Never, perhaps, were two friends better suited for each other than those great men. They were almost of the same age, and had the same inclination, benevolence of mind, taste for learning of all kinds, principles of government, and zeal for the publick good. Scipio, no doubt, took place in point of military glory; but Lælius did not want merit of that kind; and Cicero tells us, that he signalized himself very much in the war with Viriathus. * As to the talents of the mind, the superiority, in respect of eloquence, seems to have been given to Lælius; though Cicero does not agree that it was due to him, and says, that Lælius's stile favoured more of the antient manner, and had something less agreeable in it, than that of Scipio.

Let us hear Lælius himself (that is, the words Cicero puts into his mouth) upon the strict union which subsisted between Scipio and him. “† As for me, says Lælius, of all the gifts of nature or fortune, there are none I think comparable to the happiness of having Scipio for my friend. I found in our friendship a perfect conformity of sentiments in respect to publick affairs; an inexhaustible fund of counsels and supports in private life; with a tranquility and delight not to be expressed. I never gave Scipio the least offence, to my knowledge, nor ever heard a word escape him that did not please me. We had but one house

Cic. de
Amicit.
103, 104.

* De ipsius Lælii & Scipionis ingenio, quanquam ea jam est opinio ut plurimum tribuatur ambobus, dicendi tamen laus est in Lælio illustrior—sed multo vetustior & horridior ille, quàm Scipio. BRUT. 83.

† Equidem ex omnibus rebus, quas mihi aut fortuna aut natura tribuit, nihil habeo quod cum amicitia Scipionis possim comparare. In hac mihi de rep. consensus; in hac rerum privatarum consilium; in eadem requies plena oblectationis fuit. Nunquam illum ne minimâ quidem re offendi, quod quidem senserim: nihil audiui ex eo ipse, quod nollem. Una domus erat, idem victus, isque communis. Neque solum militia, sed etiam peregrinationes rusticationesque communes. Nam quid ego de studiis dicam cognoscendi semper aliquid & discendi, in quibus remoti ab oculis populi omne otiosum tempus contrivimus?

and

and one table at our common expence, the frugality of which was equally the taste of both. In war, in travelling, in the country, we were always together. I do not mention our studies, and the attention of us both always to learn something; this was the employment of all our leisure hours, removed from the sight and commerce of the world."

Is there any thing comparable to a friendship like that which Lælius has just described? "What a consolation is it to have a second self, to whom we have nothing secret, and into whose heart we may pour out our own with perfect effusion *! Could we taste prosperity so sensibly, if we had no one to share in our joy with us? And what a relief is it in adversity, and the accidents of life, to have a friend still more affected with them than ourselves?" What highly exalts the value of the friendship we speak of, was its not being founded at all upon interest, but solely upon esteem for each other's virtues. "What occasion, says Lælius, could Scipio have of me? † Undoubtedly none; nor I of him. But my attachment to him was the effect of my high esteem and admiration of his virtues; and his to me, from the favourable idea he had of my character and manners. This friendship increased afterwards on both sides, by habit and commerce. We both indeed derived great advantages from it: but those were not our view, when we began to love each other."

An amity founded on such principles, especially between persons at the head of the most important affairs of the State, must have been very grave and serious. It undoubtedly was so, when occasions re-

* Quid dulcius, quàm habere quicum audeas sic loqui, ut tecum? Quis esset tantus fructus in prosperis rebus, nisi haberes qui illis, æquè ac tu ipse, gauderet? Adversas verò ferre difficile esset sine eo qui illas etiam gravius, quàm tu, ferret. De Amicit. 22.

† Quid enim Africanus indigens mei? minimè hercle: ac ne ego quidem illius. Sed ego admiratione quadam virtutis ejus: ille vicissim opinione fortasse nonnulla, quam de meis moribus habebat, me dilexit. Auxit benevolentiam consuetudo. Sed, quanquam utilitates multæ & magnæ consecutæ sunt, non sunt tamen ab earum spe causæ diligendi profectæ. De Amicit. 30.

quired it: but at other times it was attended with a gaiety and innocent mirth not easily conceived. * When escaped from the city, as from a prison, they went to breathe at liberty in the country, it is incredible how those great men would play like boys together. They used to gather shells, and little round and flat stones upon the coast of the sea, and descend to the most simple games, with no other view but to unbend themselves. Such amusements in persons of their merit argue a candour, simplicity, and innocence of manners that cannot be too much esteemed.

I cannot place the famous embassy of Scipio Africanus into the East and Egypt better than here: we shall see the same taste of simplicity and modesty, as we have just been representing in his private life, shine out in it. It was a maxim with the Romans frequently to send Ambassadors to their allies to take cognizance of their affairs, and to accommodate their differences. It was with this view that three illustrious persons, P. A. R. 609. Scipio Africanus. Sp. Mummius and L. Metellus, were sent into Egypt, where Ptolomy Physcon then reigned, the most cruel tyrant mentioned in history. They had orders to go from thence to Syria, which the indolence, and afterwards the captivity, of Demetrius Nicator amongst the Parthians, made a prey to troubles, factions, and revolts. They were next to visit Asia Minor, and Greece, to inspect into the affairs of those countries, to enquire in what manner the treaties made with the Romans were observed, and to remedy, as far as possible, all the disorders that should come to their knowledge. They acquitted themselves with so much equity, wisdom, and ability, and did such great services to those to whom they were sent, in re-establishing order amongst them, and in accom-

Frein-
them.
Suppl. liii.
19.

* Sæpe ex focero meo audiui (it is Crassus that speaks) cum is diceret focerum suum Lælium semper ferè cum Scipione solitum rusticari, eosque incredibiliter repuerascere esse solitos, cum rus ex urbe, tanquam è vinculis, evolavissent. Non audeo dicere de talibus viris, sed tamen ita solet narrare Scævola, conchas eos & umbilicos ad Cajetam & ad Laurentum legere consueisse, & ad omnem animi remissionem, ludumque descendere. De Orat. ii. 22.

modating their differences, that, when they returned to Rome, Ambassadors arrived there from all the parts in which they had been, to thank the Senate for having sent persons of such great merit to them, whose wisdom and goodness they could not sufficiently commend.

The first place to which they went, according to their instructions, was Alexandria. The King received them with great magnificence. As for them, they affected it so little, that at their entry Scipio, who was the richest and most powerful person of Rome, had only one friend, the philosopher Panætius, with him, and five domesticks. * His victories, says an antient writer, and not his attendants, were considered; and his personal virtues and qualities were esteemed in him, and not the glitter of gold and silver.

Though, during their whole stay in Egypt, the King caused their table to be covered with the most exquisite provisions of every kind, they never touched any but the most simple and common, despising all the rest, which only serve to soften the mind, and enervate the body. But, on such occasions, ought not the Ambassadors of so powerful a State as Rome to have sustained its reputation and majesty in a foreign nation, by appearing in publick with a numerous train and magnificent equipages? This was not the taste of the Romans, that is, of the People of the whole earth, that thought the most justly of true greatness and solid glory.

When the Ambassadors had fully gratified their curiosity in seeing Alexandria, and had compleated the affairs which brought them thither, they went up the Nile, to visit Memphis, and the other parts of Egypt. They either saw with their own eyes, or knew from exact informations taken upon the spot, the great number of towns, and the prodigious mul-

* Non mancipia ejus, sed victoriæ numerabantur: nec, quantum auri & argenti, sed quantum amplitudinis pondus secum ferret, æstimabatur. VAL. MAX. iv. 3.

itude of inhabitants, which that State contained; the strength its happy situation gave it; the fertility of its soil, and all the other advantages it enjoyed. They perceived, that it wanted nothing to make it powerful and formidable, but a prince of capacity and application; for Physcon, who then reigned, was nothing less than a King. I have given his character, after Justin, in the Ancient History. His belly was of so enormous a bigness, that he could not carry the load of flesh which his intemperance had produced, and never appeared in public but in a chariot. He, however, made an effort to accompany Scipio. The latter, turning towards Panætius, said to him smiling, “The Alexandrians are obliged to us for seeing their King on foot.” What a contrast is there between this Prince, abandoned to all manner of vices, and Scipio, the model of wisdom and virtue! Accordingly, Justin says, that, instead of being, like Physcon, the object of his subjects contempt, Scipio, whilst he gratified his curiosity in visiting whatever was worthy of it in Alexandria, was himself a sight to the whole city. *Dum inspicit urbem, spectaculo Alexandris fuit.*

S E C T. II.

Affairs that happened at Rome. Censors. Generous constancy of the Tribunes of the People against one of their own Collegues. Census. Death of Cato's son, and of Lepidus, the Pontifex Maximus. Galba, accused by Cato, is acquitted. Condemnation of Tubulus. Severe sentence of Manlius Torquatus against his son. Scipio Africanus accused. He accuses Cotta, who is acquitted. Singular Conduct of Lælius in a pleading. Change in the government in respect to the Prætors. Censorship of Scipio. New superstitions proscribed. Law Calpurnia against extortions. Sumptuary laws passed at different times concerning the expences of the table. Abuse of the publick schools of saltation. Law Licinia concerning the election of Pontiffs. Scrutinies introduced at Rome in the election of the Magistrates. The method of scrutiny

AFFAIRS that happened at ROME.

tiny is also introduced in trials : then in the passing of laws : and lastly, in trial of State criminals. Wars abroad. Appius Claudius makes war against the Salassi, and triumphs by the aid of his daughter, a vestal. The Ardyani defeated, and subjected to the Romans. War of the slaves in Sicily. War with Aristonicus.

I HAVE omitted many detached facts in the course of history, which happened during the third Punic war, and that of Numantia. I proceed to relate them here, before I go on farther.

AFFAIRS that happened at ROME.

A. R. 598. **Val. Max. ii. 9.** M. Valerius Messala, and C. Cassius Longinus, were created Censors the 598th year of Rome. The former had been degraded by the Censors some years before : but he made so good an use of that disgrace, that he rendered himself worthy of the Censorship in the consequence.

Val. Max. vi. 5. Whilst Messala obliterated, in this manner, his past ignominy, by the new honours paid to his virtue, L. Cotta, Tribune of the People, dishonoured the office he held, by a conduct highly unworthy of a magistrate. Abusing the authority of the Tribuneship, which protected him from being sued by his creditors, he absolutely refused to pay them. His Colleagues, enraged that he should make so venerable and sacred an office an asylum for his avarice and injustice, all rose up against him, and declared, that if he did not pay his debts, or give security for doing so, they would join with his creditors to reduce him to reason. Would it not be highly contrary to justice, that no officer should dare to signify a process to a magistrate in a considerable office ?

A. R. 599. The Lustrum, which was closed under the Censors of whom we have just spoke, was the fifty-fifth. The citizens were found by the Census to amount to three hundred and twenty-four thousand.

The following year Cato lost his son, who was then A. R. 600.
Plut. in
Cat. Prætor, and very dear to him. He might have considered himself as doubly his father; because, besides life, he had given him his education, which he would confide to nobody but himself; having been his tutor both in literature, the study of the laws, and even the exercises of the body. Our manners make this almost incredible. But Plutarch positively affirms, that Cato himself taught his son to dart the javelin, to fence, to ride, to charge, to bear heat and cold, and to pass the most rapid rivers by swimming. He had been at the trouble of writing histories for him, and in large characters, with his own hand; being desirous that his son might not want so great an advantage as the knowledge of the antient deeds of his countrymen. He never let a word escape him in his presence, that was in the least repugnant to morality, and with as much caution as he would have observed before the vestal virgins. So much care and pains succeeded perfectly: and Plutarch observes, that Cato spoke of his son in his works, as an excellent person, and one equally distinguished by civil and military virtues. That young man was very happy in marriage; for which he was as much indebted to his own merit, as his father's reputation. His wife was Tertia, the daughter of Paulus Æmilius, and sister of the second Scipio Africanus: he left children at his death. His father was extremely afflicted by it, but, however, bore that misfortune with all the constancy of a philosopher, and did not lose a single moment of his application to the publick affairs on that account. As he was always an enemy to empty pomp, and vain expences, his funeral was only plain and decent.

The same year died also the great Pontiff M. Æmilius Lepidus. Epit. Liv. He had in his will forbid any magnificent obsequies to be made for him; despising, as well as Cato, the uselefs ostentation of expence in the funerals of great persons. P. Cornelius Scipio Nasica was elected Pontifex Maximus in his room.

At the interval I am now upon I find there were several remarkable trials, which I proceed to relate in their order.

A. R. 603, The first that occurs is that of Galba, accused before the People for the horrid massacre of the Lusitanians, with equal perfidy and cruelty. L. Scribonius Libo, Tribune of the People, was his accuser. But a more formidable adversary, Cato, who, after his Consulship which he had passed in Spain, had declared himself the defender and patron of that province, joined the Tribune, and supported him with all his credit and eloquence. According to Livy he was then * ninety years old: but his zeal for the publick good and justice animated him, and he had still sufficient spirits to harangue the People, and to exhort them not to suffer the crime to go unpunished.

Cic. de

Orat. 227,

288.

Brut. 89,

90.

Val. Max.

viii. 1.

Galba was one of the most illustrious Orators of his time; of which we shall soon cite a proof. His principal excellency was in moving the passions, in which eloquence displays itself most, and exercises its greatest power over the mind. His crime was notorious, and drew upon him general indignation. But his judges were the multitude, that easily pass from one extremity to another, and with whom opinion frequently takes place of reason. He took the advantage of this propensity, and spared no pains to mollify the People, and move their compassion. Accordingly, in his defence he endeavoured to disguise the fact as much as possible. But † his principal resource was a sight,

* According to Cicero he lived but to the age of eighty-five.

† Reprehendebat Galbam Rutilius, quod is C. Sulpicii Galli, propinqui sui, Q. pupillum filium ipse penè in humeros suos extulisset, qui patris clarissimi recordatione & memoria fletum populo moveret, & duos filios suos parvos tutelæ populi commendasset, ac se, tanquam in procinctu testamentum faceret, sine libra atque tabulis populum Romanum tutorem instituere dixisset illorum orbitati. Itaque cum & invidia & odio populi tum Galba premeretur, his quoque eum tragediis liberatum ferebat. Quod item apud Catonem scriptum video: Nisi pueris & lacrymis usus esset, pœnas eum daturum fuisse. De Orat. i.

Eo facto mitigata concione, qui omnium consensu petiturus erat, penè nullum triste suffragium habuit. VAL. MAX.

which

which he presented to the eyes of the judges. C. Sulpicius Galba, his near relation, a Senator universally esteemed, had by his will appointed him guardian of a son of very tender years at his death. He made him appear in the Forum, carrying him almost upon his own shoulders; bringing with him, at the same time, his own two sons, who were also very young. Then, after having expatiated in the most moving terms, with tears in his eyes, upon the deplorable condition of his whole unfortunate family, considering himself as one upon the brink of destruction, he compared himself to soldiers that made their will before a battle, and recommended those tender infants to the Roman People, leaving them under their care and tuition. This sight, attended with the discourse and tears of a vehement orator, moved and changed every body. The just indignation they had conceived on the meer relation of Galba's cruel treachery to the Spaniards, on a sudden gave place to compassion and indulgence; and the person whom every body, in their thoughts, had deemed unworthy of grace, was acquitted without a single suffrage against him: such force and sway has eloquence over mankind!

Another criminal, some years after, was not so fortunate. This was L. Hostilius Tubulus, a man equally void of honour and shame, who, during the year of his Prætorship, when he presided in trying assassins, had publickly sold justice, without observing any measures. As soon as his term of office expired, Freinshem. Supplem. lib. 1. A. R. 611, P. Scævola, Tribune of the People, attacked him; and the trial was referred to the decision of Cn. Servilius Cæpio, one of the Consuls. Tubulus did not stay till it was to come on, and disappeared. It was a frequent custom at Rome to be satisfied with this voluntary banishment, to which criminals condemned themselves: but so vile a wretch as this was thought unworthy of so gentle a punishment. Tubulus was cited to appear, and foreseeing that he should be condemned to be strangled in prison, he chose rather to poison himself.

Val. Max.
v. 8.

The following year gives us an example of paternal severity, capable of making one tremble. Deputies from Macedonia laid complaints before the Senate against D. Silanus, who, during his command in that province, had committed many oppressions in it. Manlius Torquatus, the * father of the accused, a Senator of extraordinary merit, desired that no sentence might be passed upon his son, till he had examined into the affair himself. No difficulty was made to grant him this, as every body placed great confidence in his abilities and probity. He heard both sides during two days, and on the third declared his son guilty; and, in consequence, forbade him ever to appear before him. Silanus, after so sad a sentence, could no longer support the light, and hanged himself out of despair. The father, through a rigour it is hard to praise, would not so much as assist at his funeral; but being of the profession of the bar, remained calmly at home, answering those who came to consult him, as usual. This behaviour speaks the heir and descendant of that Manlius Torquatus, who had caused the head of his victorious son to be cut off. But ought this zeal to be carried so far as to stifle the sentiments of nature?

Freinhem.
Suppl.
liv. 32.

A. R. 613,
or 614.

No glory, no services rendered the State, exempted a Roman citizen from the vexations of the Tribunes. We have seen a glaring example of this in the person of the first Scipio Africanus. The second experienced the same trial, but extricated himself more successfully. He had been Censor, and, whilst he exercised that office, would have noted and degraded Claudius Asellus, a Roman Knight, who was protected from this disgrace solely by the opposition of the other Censor, Mummius. This Claudius retained the warmest resentment against Scipio, and, being become Tribune, he accused him before the People, on what pretence, and for what crime, the monuments come down to us are silent. Scipio wonderfully sustained his

* The son of Manlius had been adopted by one Silanus.

his character of magnanimity. He did not put on mourning, nor appear as a suppliant: and even derided his adversary, with an air of superiority that sat very well upon so great a man. This affair had no consequences.

Scipio himself, several years after, and when he had added the destruction of Numantia to that of Carthage, accused L. Cotta. The authors who speak of this affair do not mention the occasion of it; but suppose, that Cotta was undoubtedly guilty. The cause was pleaded seven times before judgment was passed: for the Romans knew nothing of proceedings in writing; and when a cause, after having been pleaded on both sides, did not appear sufficiently clear, they decreed that it should be reheard at new expences. At length, the eighth time that Cotta's affair came on, he was acquitted. It is said, that the accuser's too great power saved the accused; the judges having apprehended, that the condemnation of Cotta might be ascribed to Scipio's credit. A weak pretext this. It would indeed be horrid iniquity, that the power of an adversary should cause an innocent person to be condemned: but that is no just reason for acquitting a criminal.

I can conclude what regards trials no better than by a fact which, in my opinion, reflects great honour upon the Roman Bar, and still more upon Lælius, Scipio's friend. He was to plead a criminal affair, in which some publicans, or farmers of the publick revenues, were concerned; the cognizance of which the Senate had referred to the Consuls. He pleaded with his usual exactness and elegance. But the Consuls were not convinced, and decreed it should be heard a second time. A new pleading of Lælius, still more elaborate and precise, ensued; and judgment was still respited, and a new trial ordered. The farmers re-conducted Lælius to his house, expressing the utmost gratitude, and desiring him not to be discouraged. He answered, "that he had the greatest consideration for them, and that he had manifested it by taking this affair upon him."

Cic. Divin.
in Cæcil.
n. 69. &
pro Mur.
n. 58.
Val. Max.
viii. 1.

him; that he had employed all the pains in it of which he was capable: but that the best they could do, would be to apply to Galba, who being a more vehement orator than himself, would throw more warmth and force into the manner of pleading their cause, and probably carry it in their favour." They took his advice, and applied to Galba, who, being to supply the place of so great a man, long refused to take their defence upon him, and was scarce prevailed upon at length to do so by their earnest solicitations. He employed all the next day in studying the cause, making himself perfectly master of it, and in preparing and disposing his proofs. The third day, which was that on which it was to be heard, he shut himself up in a detached vaulted closet, with some learned slaves who were his secretaries. When he was informed that the Consuls had taken their places, he quitted his closet with his visage and eyes all in flames, as if he had just been pronouncing his pleading. It was even observed, that his slaves had been treated with severity; a proof that he was as violent a master, as he was a vehement orator. The audience was very numerous, and in great expectation; and Lælius was present. Galba began to speak with so much force and eloquence, that he was interrupted by applauses at almost every part of his pleading: and he so happily employed both the force of proofs and the vehemence of passions, that the Farmers entirely carried their cause, and were acquitted.

Such a success in these circumstances did Galba great honour: but the modest and equitable behaviour of Lælius was no less admired; which shewed, * that in those times the persons of the first rank at the bar were void of all mean jealousy, did each other justice, and were glad to praise the merit and talents of others. We also † see on this occasion, that there is no equality

* Erat omnino tum mos, ut in reliquis rebus melior, sic in hoc ipso humanior, ut faciles essent in suum cuique tribuendo. BRUT.

† Ex hac Rutiliana narratione suspicari licet, cum duæ summæ sint in Oratore laudes, una subtiliter disputandi ad docendum, altera gra-

between the two kinds of eloquence; of which the one confines itself to informing the judges with exactness and perspicuity, and the other in a manner ravishes their consent by an irresistible violence; and that the latter infinitely excels the former.

I have said that Tubulus, who was condemned in the 611th year, had presided as Prætor in trials for assassination. It was, therefore, before that time that a change had been made with regard to the Prætors in the polity of the government of Rome, and in the administration of justice. It consists in this: that as, before, of the six Prætors two only remained at Rome to preside in trying civil causes, and the four others went either to govern the provinces of the empire, or command the armies; it was decreed, at the time of which we are speaking, that they should all pass the whole year of their Prætorship in the city; two with the usual functions, and the other four to take cognizance of certain crimes. It was in this manner that the *Questiones Perpetuæ* were instituted; that is, the ordinary tribunals for trying the crimes of caballing, peculation, &c. After having passed the year of their Prætorships in these functions, they were all six sent to govern the provinces in the quality of Proprætors. All this has been related more at large in a dissertation in a former volume of this work.

Two motives probably occasioned this change to be made: the one, that the empire having been considerably enlarged by the conquest of Africa, Macedonia, and Achaia, four Prætors were too few for the number of the provinces: the other, that licentiousness and disorders augmenting, the necessity of the ordinary tribunals for checking crimes and punishing criminals, was obvious.

Scipio, in his Censorship, used his utmost efforts A. R. 610. against degeneracy of manners, and the abuses, of

viter agendi ad animos audientium permovendos; multoque plus proficiat is qui inflammet Judicem, quam ille qui doceat: elegantiam in Lælio, vim in Galba fuisse. BRUT.

Diod. apud
Valef.

Val. Max.
vi. 1.

every kind, that had been introduced at Rome. But all his zeal was rendered ineffectual, by the too great facility of his colleague, L. Mummius, a man of merit in many instances, but simple, easy to be deceived, and of that kind of good disposition that degenerates into weakness. Accordingly, whilst Scipio examined into the conduct of the Senators, Knights, and common People, with severity, and employed the whole authority of his office in reforming vices, Mummius noted none, or even discharged all those that he could, who had been noted by his Colleague. Scipio could not help complaining of this, and said one day, in a full assembly of the People, "that he should have exercised the Censorship in a manner worthy of the majesty of the Commonwealth, if he had either had no Colleague, or a Colleague."

Val. Max.
iv. 1.

Scipio, however, did not carry his severity to excess; of which we have a proof, in the manner he acted in respect to a Roman Knight called C. Licinius Sacerdos. At the review of the Knights, when it came to his turn to present himself to the Censors, Scipio said with a loud voice: "I know C. Licinius
" is perjured, and if any body will accuse him, I'll
" be a witness against him." Nobody offering themselves, Scipio, addressing himself to Licinius, ordered him to pass. "I will not note you," said he, "that
" it may not be said I acted the part of accuser, judge,
" and witness, in respect to you." Upon which Cicero makes this fine reflection: "Therefore * this great man, to whose judgment not only the Roman People, but foreign nations, referred themselves, did not think his own consciousness sufficed, when the question was to degrade a citizen. I shall relate another memorable circumstance in Scipio's Censorship. On the closing of the Census it was the custom to implore the Gods, by a prayer, to

Itaque is cujus arbitrio & populus Romanus & extræ gentes contentæ esse consueverant, ipse sua conscientia ad ignominiam alterius contentus non fuit. Cic. pro Cl. n. 134.

augment the power of the Roman People. When the register, according to that custom, read this form, Scipio said, "Our power is great enough. All that we ought to ask of the Gods, is to preserve it in the same state." And he immediately caused the form to be amended; and it remained as he had dictated it from thenceforth.

In the Census made by the Censors Scipio and Mummius, the citizens were found to be three hundred and twenty-eight thousand three hundred and forty-two.

I ought not to omit here the wise precaution taken by the Senate to banish the astrologers from Rome, and to prohibit a new worship of Jupiter Sabazius, which had been introduced there. We have examples of the attention of the Romans to reform new and foreign superstitions in all times: happy had it been, if the old ones, which were often as absurd and shameful as those they proscribed, had not gained greater credit with them!

Livy* somewhere says, that, in the same manner as diseases are known before remedies to cure them, so are the crimes which call for the redress of laws. Thus the avarice and injustice of the Roman Magistrates, which continually increased, occasioned a very wise law, by which the States, whom the Governors of provinces had oppressed and plundered, were authorized to apply to the Judges for restitution of what had been unjustly taken from them: *Lex Calpurnia de pecuniis repetundis*. It was proposed by L. Calpurnius Piso Frugi, Tribune of the People, in the beginning of the third Punic war, in the Consulship of L. Marcius Censorinus and M. Manilius. It was, perhaps, this law, that acquired this Tribune the honourable surname of Frugi, honest man.

* Sicut ante morbos necesse est cognitos esse, quam remedia eorum; sic cupiditates prius natae sunt, quam leges quae iis modum faterent.
LIV. xxxiv. 13. a. 1. hic est scilicet morbus cupiditatis, qui est causa legum.

The excessive expences made at Rome in entertainments, were also the occasion of passing different laws for putting a stop to the luxury of the Table.

Macrob.
ii. 13.

The law ORCHIA was the first, so called from C. Orchius, Tribune of the People, who proposed it in the 569th year of Rome, in the Consulship of Q. Fabius Labeo and M. Claudius Marcellus. It only prescribed the number of the guests. Cato often complained, in his harangues, that it was not observed.

Macrob.
ibid.
Aul. Gell.
ii. 24.

Twenty-two years after, that is, in the 591st of Rome, appeared the law FANNIA. The former, far from remedying the evil, had only augmented it, in leaving persons at liberty to be at what expence they pleased, provided they did not exceed the number of guests prescribed by it: this went to the root of the evil, by fixing the expence itself. It was preceded by a decree of the Senate, which ordained, that the principal citizens, who, at the time of the games in honour of the mother of the Gods, made entertainments for each other, should take an oath to the Consuls not to expend at each of them above an hundred and twenty Asses, or thirty sesterces; that is, about three shillings and sixpence of our money, exclusively of garden-stuff, pastry, and wine; that they should use no wine but of the growth of the country; and should have no plate exceeding an hundred pounds in weight (about the same weight Troy). The law Fannia, which was passed in consequence of this resolution of the Senate, was more express in respect to the distinction of the days, allowing an hundred Asses for entertainments on certain festivals, thirty Asses ten times a month, and only ten on the other days, which are about three-pence of our money. This law was called Fannia, from the Consul Fannius, who proposed it.

Macrob.

The law DIDIA was instituted eighteen years after, *An. Rom.* 609. It decreed, that not only the city of Rome, but all Italy, and every guest, as well as the person who gave the entertainment, should be subject to the penalties of the law Fannia.

The law LICINIA is ascribed, by several of the Learned, to the 642d year of Rome. P. Licinius Crassus Dives, then Tribune, was its author. The warmth for putting it in execution was so great, that the Senate decreed it should be observed as soon as proposed, without waiting till it had received its final authority from the suffrages of the People, which could not take place, according to custom, till after three market-days, that is, till twenty-seven days after its promulgation. It differed little from the law Fannia, and was only a kind of confirmation of it. It decreed, that, on the Calends, Nones, and Market-days, the citizens should not expend above thirty Asses, that is, less than six-pence of our money; and that, on the other not excepted days, no more than three pound of flesh, and one of salt meat, should be used, without including fruits.

Macro-
b. Aul. Gell.
ii. 24.

Some other regulations were afterwards made: but luxury, always too strong for the laws, continually broke the barriers pains were taken to oppose to it.

I am amazed that these Legislators, so severe against the luxury of the table, did not extend their views to another abuse, against which Scipio inveighs with vehemence, in a discourse of which Macrobius has preserved a fragment. This abuse consisted in the suffering of public schools at Rome to be kept by Comedians, to which young persons of both sexes were sent, to learn the art of gesture, and to declaim, the art of accompanying the pronunciation of verses with motions of the body. These masters, who were of loose manners, often taught their pupils to perform lascivious motions, entirely capable of extinguishing all sense of modesty. Scipio makes bitter complaints of this practice. “Our * youth, says he, go to the

Sat. ii. 10.

* Eunt in ludum histrionum; discunt cantare: quæ majores nostri ingenuis probo ducier voluerunt. Eunt, inquam, in ludum saltatorium inter cinædos virgines puerique ingenui.—In his (vidi) unum, quod me Reipublicæ maximè misertum est, puerum bullatum petitoris filium non minorem annis duodecim cum crotalis saltare, quam

school of the actors, to learn to pronounce verses as on the stage; an exercise which our ancestors considered as a profession for slaves. Boys and girls of condition came to these schools. But in what company were they? I have myself seen, adds he, a boy in one of these schools (which sight made me deplore the fate of the Commonwealth) I have seen a boy, I say, the son of one who was actually a candidate for office, performing a speech to the sound of a kind of tabor, or a dance, capable of making a slave void of shame blush." Such an education must undoubtedly have had a great tendency to corruption of manners. To what enormities must not an youth so educated naturally give themselves up?

The laws of which it remains for me to speak have a different view from the preceding. They tend either to aggrandize the power of the People, or to exempt them from dependance on the Great.

A. R. 606. The Tribune C. Licinius Crassus, to make his
Cic. de court to the People, and mortify the Senate, proposed
Amic. 96. a change in the creation of the Pontiffs, and to transfer the choice of them to the People; whereas hitherto it had always been made by the college of Pontiffs themselves. Lælius, then Prætor, spoke strongly against this proposal, shewing how dangerous it was to make any innovations in matters of Religion. This motive, to which the multitude is very sensible, caused a law entirely popular to be rejected by the suffrages of the People.

The next laws regard secrecy in giving suffrages, concerning which the persons of consequence seem to have been divided in opinion. Till the 613th year of Rome, the suffrages had been given *viva voce* in choosing magistrates: and it does not appear, that this manner of proceeding in electing them had any inconvenience, as no change had ever been proposed in it.

A. R. 613. Cic. de Leg. iii. 34. *salutationem impudicus servulus honeste salutare non posset. Scipio apud Macrobes †.*

† In the interpretation of this passage I have followed the Abbe Du Bos upon Salutation. See Reflection upon Painting and Poetry Vol. III. Sect. 13.

It had even this advantage, when any one proposed persons without merit for offices, the sounder part of the citizens could make him sensible of the consequences, and bring him over to a better opinion. We have often seen that the People, especially on important occasions, came readily into the sentiments and remonstrances of the citizens who made the publick good their view.

But when the great and powerful began publickly to abuse their authority, in order to give the law in elections, employing not only promises, but even menaces and violence, the People conceived thoughts of preserving their liberty from their attempts, by no longer giving their suffrages *viva voce*, but by scrutiny; so that each citizen threw into a locked vote-box, that had an opening at top, a note, with the name of the person he voted for inscribed upon it. Cicero elegantly defines this method of proceeding in elections, *tabellam vindicem tacitæ libertatis*; "a certain method of preserving the liberty of suffrages by the secrecy of scrutiny." But, on another side, this method is only more liable to corruption, delivering those who do ill from the shame of being known. Human things are of this kind, and always have two aspects.

De leg.
Agrar. ad
Nep. n. 4.

However it were, this law, which established the method of scrutiny for the election of magistrates, was called *Gabinia*, from the name of *Gabinus*, Tribune of the People, who proposed it. He was a man of neither birth nor merit.

Two years after also, the same method of scrutiny was introduced also in trials, by *L. Cassius*, Tribune of the People; and from his name the law was called *Cassia*. The Consul *Æmilius*, famous for his eloquence, employed the whole force of it for preserving the ancient custom. One of *Cassius's* Collegues also opposed it: but he at length rose up, and it was believed that he desisted by the advice of *Scipio Africanus*. Thus the law was accepted.

De leg. iii.
34, 35.
Brut.

Carbo, a very seditious citizen, extended it to the Assemblies of the People, in which the institution of laws is determined.

De leg. iii.
34.

De leg. iii. 36. Only one kind of trials were exempted from the method of scrutiny: these were those before the People for crimes of high treasons. Cassius had expressly excepted this single case. Cælius introduced scrutiny also in this point; and, if we may believe Cicero, he repented it all his life.

WARS ABROAD.

To compleat the relation of all that I have left untouched, it remains for me to speak of two wars of little importance, and of that of the slaves in Sicily, which gave the Romans great employment.

A. R. 608. Ap. Claudius being Consul with Q. Metellus Macedonius, had Gaul for his province. The Salassi, Frein-
shem.
Suppl. liii. who inhabited the country now called the valley of
6—8. Aoste, had a quarrel with their neighbours, concerning a river necessary to the working of certain gold mines, then successfully carried on in that country. Appius was appointed to terminate this difference. But, proud and haughty, like all the rest of his family, and besides jealous of the glory of his Collegue, he was resolved, at all events, to acquire the honour of a triumph. He therefore gave the cause entirely for the neighbours of the Salassi, whom he thereby reduced to take arms. He was defeated in a first battle, and lost five thousand men. But he had his revenge afterwards, and killed the Salassi five thousand on their side. This was a great loss for that people. They submitted in consequence: and Appius returned to Rome, so fully assured that he deserved a triumph, that he did not so much as demand it, but only asked a decree for being permitted to take the money for defraying the expences of it out of the publick treasury. This being refused, he took the expence upon himself, and undertook to triumph. A Tribune of the People opposed it, and even threatened to have him pulled by force out of his chariot. Claudia, the daughter of Appius, who was a Vestal, saved her father from this affront. She placed herself by his side

in his chariot, and the Tribune, respecting in her the sacred character with which she was invested, did not venture to execute his menace. Thus triumphed Appius, with more glory to his daughter than himself.

The Ardyæni, a People of Illyricum, had ravaged the lands of some of the Roman allies, and even part of Italy in their neighbourhood. The Senate having caused complaints to be made to them ineffectually by Deputies, sent a body of ten thousand foot and five hundred horse against them. On the sight of this army, the Barbarians submitted to all the conditions it was thought proper to impose upon them. They soon forgot their promises, and renewed their ravages. The Consul Ser. Fulvius Flaccus was ordered to march against them, who soon reduced them to reason; and, in order to put a final end to their courses, he removed them from the sea into the midland country: being forced, there, to apply themselves to husbandry for subsistence, they became as pacific as they had before been turbulent and unruly.

Frein-
them.
Suppl. liv.
19—21.

WAR OF THE SLAVES IN SICILY.

From the end of the second Punic war, that is, during more than sixty years, Sicily had enjoyed profound tranquillity, and in the arms of peace had applied solely to the cultivation of lands, and the corn-trade, in which its whole wealth consisted. * Accordingly, the wise Cato called it the granary of the Commonwealth, and the nursing-mother of the Roman People. This trade enriched not only the inhabitants of the island, but a great † number of Roman

Diod. apud
Phot. &
Valef.

* Itaque ille M. Cato Sapiens cellam penariam reipublicæ nostræ, nutricem plebis Romanæ, Siciliam nominavit. Crc. in Ver. 11. 5.

† Multis locupletioribus civibus utimur quod habent propinquam, fidelem, fructuosamque provinciam—quos illa partim mercibus suppeditandis cum quæstu compendioque dimittit; partim retinet, ut arare, ut pascere, ut negotiari libeat, ut denique sedes ac domicilium collocare. ibid, 6,

citizens, who, invited by the nearness of situation, went thither regularly every year to make considerable purchases of grain; or settled there with their families, and cultivated the lands they had acquired there.

It is easy to conceive, that a great number of slaves were necessary for cultivating a country of such great extent and fertility as Sicily. We shall see that the number of those who took arms amounted to almost two hundred thousand. This multitude of slaves would have been of great advantage to Sicily, if their masters had treated them with humanity; and they had been in the least of the character of the person to whom Seneca writes in these terms: “I hear * with joy by those who come from you, that you live familiarly with your slaves. This agrees well with one of your prudence and learning. But some may say, they are slaves: they ought rather to say, they are men, companions, nay, friends, of an inferior class—Continue to be loved and respected, rather than feared, by your slaves. It was thus the antient Romans lived. Our forefathers called the master of the house, the father of the family; and his servants and slaves, his family.” Corruption of manners has changed this fine order.

When luxury, the natural consequence of great riches, had gained ground amongst the inhabitants of this island, it extinguished all sense of equity and humanity in their minds, and † the slaves were treated not like men, but beasts, and with more cruelty than beasts; for care is taken to feed oxen and horses, to enable them to perform all the service they can; whereas these inhuman rich men frequently refused

* Libenter ex his qui a te veniunt cognovi, familiariter te cum servi tuis vivere. Hoc prudentiam tuam, hoc eruditionem decet. Servi sunt? Imò homines. Servi sunt? Imò contubernales. Servi sunt? Imò humiles amici—Colant potius te, quam timeant—Majores nostri Dominum, patrem familiæ appellaverunt: servos, familiares. SENEC. Epist. 47.

† Alia interim crudelia & inhumana prætereo, quod nec tanquam hominibus quidem, sed tanquam jumentis abutimur. SENEC. Epist. 47.

their slaves the most indispensable necessities of life, not to mention the blows and other barbarous usage inflicted upon them.

Those unhappy wretches, driven to extremity by want, took to robbing: and as the credit of their masters prevented the Prætors from doing justice upon these thieves, there was soon no security throughout Sicily; it became a very murderous abode. This trade of robbing was an exercise which prepared the slaves for war, in accustoming them to rapine and violence, enuring their bodies to fatigues, and rendering their courage more savage and brutal. In their meetings they reproached each other, that being, as they were, a numerous and flourishing youth, they should be solely employed in feeding the pomp and luxury of a small number of voluptuous men. Every thing tended to a general revolt.

One Eunus, a native of Syria, then the slave of a citizen of Enna, called Antigenes, was very active in fomenting this disposition. He boasted his skill in magick, and pretended to know future events, and to converse with the Gods, who had assured him that he should one day be a King. In venting his pretended oracles, he breathed flames out of his mouth, in which he held a nut with an hole at each end, full of combustible matter that he had set on fire. His master diverted himself with seeing him play these tricks, and, far from opposing them, carried him with him to the houses where he ate, to divert the company. There he was interrogated concerning his future Sovereignty: the guests, by way of joke, desired him to have them in his favour when he came to be King; and upon his assurances that he would treat them in a very kind and gracious manner, he was rewarded with something good from the table. This manner of jelling soon became a very serious affair, and the kindness of those who had familiarized themselves thus with this slave, was rewarded by very effectual and essential services.

The conspiracy broke out at the house of Damophilus. He was one of the richest inhabitants of Enna, and

and master of a prodigious number of slaves, whom he treated with unheard-of barbarity and cruelty; an haughty, insolent, brutal man, who had the train and equipage of a Prince, and made entertainments that exceeded all that has ever been said of those of Persia in magnificence. His wife, Megallis, the worthy spouse of such an husband, imitated his haughtiness and cruelty in every thing. Their slaves, to the number of four hundred, were the first that set up the standard of revolt. After having consulted Eunus, who promised them good success in the name of the Gods, they placed him at their head, and having armed themselves as well as they could, with staves, palisades, spits, and whatever they could find, they entered Enna in good order; and all the slaves in the city having joined them, they plundered the houses, and committed all kinds of excesses and cruelties in them. Knowing that Damophilus and his wife were at their country-house, which was very nigh, they seized them, dragged them into the city in chains, and having carried them to the theatre, which was the place of the assembly, they accused them in form, tried them, massacred Damophilus upon the spot, and delivered up Megallis to the female slaves, who, after having made her suffer a thousand indignities, threw her headlong from the top of a tower, or some rock.

The fate of this merciless master's daughter is entirely remarkable. She was of a quite different character from her father and mother, and full of goodness, humanity, and compassion for those who suffered. She consoled those unhappy slaves, when they had been cruelly ill-used and beaten. If they were put in prison, she carried them provisions. In a word, she relieved them in all things to the utmost of her power. By this conduct she had gained their hearts; and experienced that effect very happily on this occasion. This insolent and brutal multitude, amidst their greatest fury, remembered her goodness to them. They treated her with respect, paid her all kinds of honours,
and

and caused her to be conducted in safety to relations of hers at Catana.

Eunus also kept his word with the inhabitants of Enna, to whom he had promised his protection. He saved them from the slaughter in which all the rest of the city were involved.

As he had acquired great authority by his juggling tricks and fanaticism, the revolted slaves declared him their King. There was no occasion for violence to make him comply with their choice. He immediately assumed the scepter, diadem, and other marks of the sovereignty. He appointed his officers, gave his female * companion, who as well as himself was a Syrian, the name of Queen, caused himself to be called Antiochus, and decreed that his new subjects should take the name of Syrians. In less than three days six thousand men joined him, who armed themselves as well as they could. He ran from city to city, and town to town, set open all the places where slaves were shut up, and augmented his forces to such a degree, that he ventured to come to blows with the Roman troops sent against him, and defeated them on several occasions.

Cleon on another side, in imitation of Eunus, having put himself at the head of a body of slaves, began to ruin the territory of Agrigentum, and in the space of thirty days drew together five thousand men. It was believed at first, that these two bodies of slaves, divided in interest, would destroy each other. But this proved a mistake. On the first order that Cleon received from Eunus, he declared for him, and went with his troops to submit to the command of the new King.

It is easy to judge what horrid ravages and cruelties a multitude of domestick enemies committed against Sicily, who knew neither laws, shame, nor sentiments of humanity. Diodorus Siculus tells us, that they

* I use this term, because marriage between slaves was not authorized by the laws.

treated prisoners of war with the utmost barbarity, cutting off their hands, and even their whole arms. The same author has preserved a deplorable adventure, which it is impossible to read without being much affected. Gorgus, one of the most illustrious and richest citizens of Murgantia, being abroad to hunt, perceived a band of these robbers coming towards him. He immediately fled towards the city; but as he was on foot, he had little hopes of escaping. At this instant his father arrived on horseback, and immediately dismounted to make his son get up. The son could not resolve to save his life by abandoning his father to perish; and the father had the same sentiments in respect to the son. They disputed; and intreated each other with tears, without being able to prevail on either side. This mutual tenderness was fatal to both. The robbers arrived, and massacred father and son together.

The battles with the Romans were no less successful to the rebels, than their robberies. Florus mentions to the number of four Prætors, who were beaten by them, Manilius, Lentulus, Piso, and Hypsæus. So many victories very much augmented Eunus's army, that now amounted to seventy thousand men; and it was believed, that adding all that had revolted in the different parts of Sicily together, they would form the number of two hundred thousand. The Romans then perceived, that these revolts merited great attention, and they sent the Consul, C. Fulvius, the Colleague of Scipio Africanus, into Sicily. It does not appear, that this General gained any great advantages.

This spirit of revolt, like a contagious disease, spread into Italy, and even into the city of Rome. A conspiracy formed by an hundred and twenty slaves was discovered there. They were seized, and put to death. It was known from their own confession, that the slaves of several cities of Italy had entered into this conspiracy. Q. Metellus and Cn. Servilius Cæpio were charged with this affair. They destroyed four thousand

thousand slaves at Sinuessæ; and caused four hundred and fifty to be hanged at Minturnæ.

This evil shewed itself in several provinces: but in Sicily especially it continued to make strange havock. The Consul L. Calpurnius Piso, who had succeeded Fulvius, put a stop to its progress by the good order and severity of discipline he re-established amongst the troops. C. Titius, who commanded a body of cavalry, having suffered himself to be surrounded by the slaves, had surrendered to them, and delivered up his arms, on condition of having his life saved. Piso condemned him to remain, during all the time he should serve, from morning to night barefoot, in the principal place of the camp, in a robe cut ignominiously, and a tunick without a girdle, all marks of infamy. He was forbade to frequent the baths, or go to any entertainment; and all his men were dismounted, and obliged to serve in the companies of slingers, who were considered as the meanest corps in the army. So distinguished a punishment kept all the troops and officers to their duty, and was followed by good success. The rebels incensed against the Mamertines, who had alone kept their slaves in obedience and submission, because they had always treated them with goodness and humanity, actually besieged their city, Messina, with numerous troops. Piso made his army march against them, and gave them battle. Eight thousand remained upon the spot, and all that were taken prisoners were crucified. In distributing the rewards to those, who had signalized themselves in the battle, he declared that his son deserved a crown of gold of three pounds in weight: but as it did not become a magistrate to put the Commonwealth to the expence of a present, that was to enter his own house, he would distinguish the honour of the reward from the value of the matter; that * as his General he actually granted him the honour, but as his father he would secure

A. R. 619.

Val. Max.

ii. 7.

Frontin.

iv. 1.

Val. Max.

iv. 3.

* Ut honorem publicè à duce, pretium à patre privatim acciperet.

the value to him by his will. Such a delicacy confirms the surname of *Frugi* that had been given to Piso, and is worthy of him, who had first established the law against the extortion of magistrates.

A. R. 620. It was the Consul P. Rupilius, who had the honour of having terminated the war of the slaves in Sicily. They were in possession of many places: but two in particular constituted their strength, Enna and Tauromenium; and Rupilius conceived, that if he could take them, it would be a certain means to purge Sicily of them, and entirely to extirpate them. He began with Tauromenium, a very well fortified city, which made a long and vigorous defence. As the Consul was master at sea, it could receive no provisions on that side; and all the convoys by land were intercepted. The famine became so horrible, that they ate their own wives and children. The city was at length taken, and all the slaves that remained were put to death, after having suffered the most cruel torments.

The Consul then moved to Enna. That city was considered as impregnable, and had a numerous garrison: but it soon wanted provisions. Cleon who commanded in it, having made a salley with all his best troops, after having long fought like a desperate man who expected no quarter from the enemy, was at length taken, and died some days after of his wounds. His dead body, which was exposed to the view of the besieged, entirely discouraged them. Some, to have their lives saved, delivered up the place to the Romans by treachery. Twenty thousand slaves perished in these two cities.

Eunus, that imaginary King, escaped into steep and almost inaccessible places, with six hundred men, that composed his guard. Rupilius pursued them thither, and attacked them vigorously. He soon reduced them to despair, and they all killed one another, to avoid the shame and cruel torments prepared for them. Eunus was too desirous of life to follow their example:

ple: he hid himself in dark and deep caves, from whence he was taken, attended only by four companions of his fortune, who were (the thing is remarkable, and shews the effeminacy of this mock King) his cook, baker, bather, and the fool that diverted him at table. He was thrown into a dungeon, where he perished soon after of the lousy disease.

Rupilius, to leave no remains nor suspicion of troubles and revolts in Sicily, made the tour of the whole island with a detachment of chosen troops; and after having entirely re-established peace, he applied himself, in concert with the ten commissioners the Senate had sent thither for that purpose, to institute such wise regulations, as were highly approved by the people, and considered as the foundations of the publick tranquillity. This Rupilius, as we see, was a man of ability and merit; but not of birth. The Sicilians were without doubt much surprized to have a person to regard as a Consul and Legislator whom they had seen in their island as an officer of the revenue. The favour of Scipio Africanus, who knew Men as well as Things, had much contributed to raise him to the Consulship.

Val. Max.
vi. 9.

After he had regulated the affairs of Sicily, he returned to Rome with his army. He had done actions which indispensably deserved a triumph. But it was judged that the meanness of the enemies had in some measure degraded so signal an honour. It was thought sufficient to grant him only the inferior triumph, called Ovatio.

Attalus King of Pergamus died about the 614th year of Rome. His nephew, who had the same name, with the surname of Philometor, succeeded him in his kingdom, but not in his virtues. For, as if he had intended to make his subjects regret the loss of him, he abandoned himself to all kinds of excess and debauchery. Happily for them his reign was short, and continued only five years.

Freinshem.
Suppl.

Having no children, he made a will, by which he

G 3 appointed

appointed the Roman People his heirs. Eudemus of Pergamus carried it to Rome.

But Aristonicus, who gave himself out as descended from the royal family, endeavoured to get possession of the States of Attalus. And indeed, he was the son of Eumenes, but not legitimate.

A. R. 621. He soon formed a considerable party, as well by the favour of the people, accustomed to be governed by Kings, as the aid of the slaves, who at that time had revolted in Asia against their masters, as those of Sicily had done, and for the same reasons. Neither the resistance of many cities, who refused to acknowledge him, nor the succours sent those cities by the Kings of Bithynia and Cappadocia, could stop his progress. The Senate of Rome deputed five Ambassadors or Commissioners, whose unarmed authority produced no effect. The Romans at length made an army set out under the command of P. Licinius Crassus, a very rich man, of high birth, eloquent, an able Lawyer, and great Pontiff, but who does not seem to have had any military merit. He was the first Pontifex Maximus, to whom any command out of Italy had been given.

His exploits in Asia were very inconsiderable. History relates nothing more memorable of him, than an act of severity, which may well be termed excessive rigour. It is as follows. In besieging a city of Asia, he sent to demand of another city, in alliance with the Romans, the greatest of two masts he had seen there. His intent was to make a battering-ram of it. The chief engineer of the place believed the least suited the Consul's design best, and sent it. Upon which Licinius ordered that engineer to attend him; and without hearing his reasons, ordered him to be stript and scourged, saying, that he required obedience, and not advice from him.

He perished miserably, and even, if Justin may be believed, by his own fault; having * been less intent

* *Intentior Attalicæ prædæ, quam bello.* JUSTIN. xxxvi. 4.

upon conducting the war well, than upon collecting and converting to his own use the riches of the Kings of Pergamus. His army was defeated, and himself taken prisoner. He however avoided the disgrace of being delivered to the victor, by making a barbarian kill him, into whose eye he thrust a stick which he had in his hand, on purpose to enrage him.

The Consul Perperna, who succeeded Crassus, soon A. R. 622. revenged his death. Having made the utmost expedition into Asia, he gave Aristonicus battle, entirely defeated his army, besieged him soon after in Stratonicea, and at length took him prisoner.

He immediately sent him to Rome in the fleet which A. R. 623. he loaded with all the treasures of Attalus. Manius Aquilius, who had lately been elected Consul, made haste to take his place, in order to terminate the war, and deprive him of the honour of a triumph. He found Aristonicus set out, and soon after Perperna, who had followed, died of disease at Pergamus. Aquilius had no difficulty in putting an end to a war, which Perperna had brought so near a successful conclusion. He however dishonoured the advantages he gained, by an horrid crime which all nations detest. In order to force some places to surrender, he poisoned the springs from which they had their water. The fruits of this war to the Romans was, that Lydia, Caria, the Hellespont, Phrygia, in a word, all that composed the kingdom of Attalus, was reduced into a Roman province, under the common name of Asia.

The Senate had given orders to destroy the city of Phocæa, which had declared against the Romans, both in the war, of which we have been speaking, and before in that against Antiochus. The Inhabitants of Marseilles, which was a Colony of Phocæa, moved as much with the danger of their founders, as if that of their own city had been in question, sent deputies to Rome to implore the clemency of the Senate and People in their favour. However just the indignation of the Romans was against Phocæa, they could not refuse complying with the warm solicitations of a People,

for whom they had long had the highest regard, and who rendered themselves still more worthy of it by the tender gratitude they expressed for their forefathers and founders.

Manius Aquilius on returning to Rome received the honour of a triumph, instead of the punishment he had justly deserved for the unworthy and criminal methods to which he owed his successes. And soon after, on being accused of extortion, he was acquitted, which did not retrieve his honour, but disgraced his judges. As to Aristonicus, having been exhibited as a sight to the People in the triumph of Aquilius, he was carried to prison and strangled. And these were the consequences of Attalus's will.

Mithridates in his letter to Arsaces, King of the Parthians, * accused the Romans of having forged a will of Attalus, to deprive Aristonicus, the son of Eumenes, of his father's kingdom, which appertained to him by right: but it is a declared enemy, who lays this crime to their charge, and consequently his testimony is of no weight.

* *Simulato impio testamento, filium ejus (Eumenis) Aristonicum, quia patrium regnum petiverat, hostium more per triumphum duxere.*
Apud SALLUST. in fragm.

THE
ROMAN HISTORY, &c.

REVISED and COMPLETED

By Mr. C R E V I E R.

THE HISTORY OF

THE

ROMAN HISTORY

BY

BY MR. J. H. V. I. E. R.

Mr. CREVIER's

ADVERTISEMENT

TO THE

NINTH VOLUME of the First Edition.

THE public are now going entirely to perceive, that it has lost Mr. ROLLIN. A great part of this volume is indeed of his composing: but besides that the last fragments of an author, whose work has been interrupted by death, are necessarily the least finished, Mr. ROLLIN had left voids, which I was obliged to fill up; and before the end of the volume, my guide quits me, and I am left absolutely to myself.

Thus * the death of Mr. ROLLIN, without being untimely or premature, is no less to be lamented by the public. And indeed it may be called premature, according to Pliny the younger's thoughts, who conceives † the death of every one to be so, that meditates works worthy of immortality. "For, adds he, those, who, devoted to pleasure, live in a manner from day to day, see every day the accomplishment of their reason for desiring to live. But as to those, who have posterity in view, and to perpetuate their

* Mors quam matura, tam acerba. LIV. vi. 1.

† Mihi videtur acerba semper & immatura mors eorum, qui immortale aliquid parant. Nam qui voluptatibus dediti, quasi in diem vivunt, vivendi causas quotidie finiunt. Qui vero posteros cogitant, & memoriam sui operibus extendunt, his nulla mors non repentina est, ut quæ semper inchoatum aliquid abruptat. PLIN. l. v. ep. 5.

names by fine and useful works, death always comes too soon for them, because it always interrupts something began."

It undoubtedly was not the frivolous view of a chimerical immortality, that engaged Mr. ROLLIN. More solid and Christian motives directed his labours. But it is true, he did desire to finish his ROMAN HISTORY. And I remember, that after his first illness in May 1741, when I congratulated him upon his return in health, and that, probably for a considerable number of years, which I wished might extend to the longest term of human life; he replied with vivacity, "I should be very sorry for that. But I should desire, "if it were the will of God, to live long enough to "compleat my work."

It was not the will of God. Neither his wishes, nor mine, nor those of all who love virtue and letters, were heard in that respect. It is as just as necessary to submit to the dispensations of Providence. All that I can and ought to do, is to endeavour, as much as in me lies, to imitate so dear a master, and so excellent a model.

I confess, that of all the qualities that render a writer admirable, there is not one, of which I should be so ambitious, as that amiable character of simplicity, humanity, goodness, and modesty, with which he wins the hearts of all his readers. An author of renown has however taken occasion from it to make him several reproaches, which all terminate in that of having had too much deference for the authority of the ancients. I should injure Mr. ROLLIN's memory, if I undertook to justify him in a point he thought for his glory. He was far from thinking, with his censurer, that it was necessary to begin the serious study of history only towards the end of the fifteenth century; and consequently, that not only Herodotus, but Thucydides, Xenophon, Polybius, Sallust, Livy, Tacitus, and all the ancients, were to be considered as nothing. I shall say no more upon this subject. Whatever zeal I may have to oppose the attacks upon Mr. ROLLIN, I choose rather to make the moderation he professed through-
out

out his whole life, my rule: and the rather, because discourse is superfluous, where things speak themselves; and the universal esteem of all the truly learned, as well as his less instructed readers, declares loudly not his apology, but his praise.

I therefore stop short; and chuse to be silent the more willingly, as it would not be easy for me to keep within certain bounds, if I once indulged myself in speaking. I have only to apprise the reader of two things.

The first is, that to avoid, as much as possible, having Mr. ROLLIN charged with my faults, I have pointed out the additions, in any manner considerable, that I have inserted in his text; and have taken care to mark the exact place where his manuscript ends.

The second observation I have to make, relates to the reduction of the Greek and Roman species of coin into ours. I have conformed to Mr. ROLLIN's estimate, without believing it absolutely exact, as he did not believe it himself. It is certain that the only means to have any thing exact in this kind, is to make weight the rule. Nor are the learned without great difference of opinions in this respect. It is however the method I have followed, as the best in itself, in my edition of Livy. But we have certain ideas of weights, when the species of coin are in question: and most readers would be out of their depth, if we gave them the sums in marks, ounces, drams, and grains. I shall only observe, that Mr. ROLLIN's estimate comes nearer to exactness, if we compare it with what most nations consider as the intrinsic value of gold and silver, than if we fixed it to the current value of those metals in France.

T H E

ROMAN HISTORY.

BOOK THE TWENTY-EIGHTH.

THIS book includes about twenty years, from the 619th to the 638th year of Rome, and something more. It contains principally the History of the Gracchi, some wars abroad, the most important of which is that whereby the Romans form a province in the Gauls; and various affairs of the city.

S E C T. I.

History of the GRACCHI.

Ti. Gracchus and Cornelia, father and mother of the Gracchi. Cornelia's extraordinary care of the education of her two sons. Similitude and difference of character of the two brothers. Tiberius, when very young, is elected Augur. He serves under Scipio in Africa, and afterwards in Spain under Mancinus as Quaestor. Treaty of Numantia the cause and origin of his misfortunes. Tiberius espouses the party of the People. He is elected Tribune, and revives the Agrarian laws. Complaints of the Rich against him. Octavius, one of his colleagues, opposes his law. Tiberius endeavours to bring over his colleague by fair means, but ineffectually. He undertakes to have Octavius deposed, in which he succeeds. Reflexion

flexion upon that violent proceeding of Tiberius. The law for the distribution of lands is passed. Three commissioners appointed for putting it in execution. Mucius is substituted to Octavius. Tiberius persuades the people, that designs are formed against his life. He causes a decree to pass for the distribution of the estates of Attalus amongst the poorer citizens. He undertakes to justify the deposition of Octavius, and to have himself continued in the office of Tribune. He is killed in the Capitol. Reflexion upon that event. The accomplices of Tiberius condemned. Seditious answer of Blossius. P. Crassus is elected Triumvir in the room of Tiberius. Scipio Nasica is sent into Asia to avoid the fury of the People. Caius Gracchus retires. Answer of Scipio Africanus upon the death of Tiberius. Census. Speech of the Censor Metellus to exhort the citizens to marry. Fury of the Tribune Atinius against Metellus. Difficulties of the distribution of lands. Scipio declares in favour of those that were in possession of lands. He is found dead in his bed. His obsequies. Ill-timed frugality of Tubero. Scipio's remoteness from pomp. Praise of that great man. Caius applies himself to the study of eloquence. He goes to Sardinia as Quæstor. His dream. His wife conduct in Sardinia. His great reputation alarms the Senate. Turbulent designs of Fulvius. Conspiracy suppressed at Fregellæ. Caius returns to Rome. He justifies himself entirely before the Censors. He is elected Tribune notwithstanding the opposition of the Nobles. His praise. He proposes several laws. He undertakes, and executes several publick works of importance. C. Fannius is elected Consul by the interest of Caius. Caius is chosen Tribune for the second time. He transfers the administration of justice from the Senate to the Knights. The Senate, to ruin the credit of Caius, makes Drusus, one of his colleagues, oppose him; and becomes popular itself. Caius carries a colony to Carthage. Drusus takes advantage of his absence. Caius returns to Rome. He changes his habitation. Decree of the Consul Fannius contrary to the interests of Caius. Caius quarrels with his colleagues. They prevent him from being elected

elected Tribune for the third time. Every thing is ripe for his destruction. The Consul Opimius makes the Senate take arms. Licinia exhorts her husband Caius to provide for his safety. He endeavours an accommodation ineffectually. Fulvius is killed upon mount Aventine, and his followers put to flight. Sad end of Caius. His head, upon which a price had been set, is carried to Opimius. His body is thrown into the Tiber. Temple erected to Concord. Honours rendered the Gracchi by the People. Agrarian laws of the Gracchi annulled. Retreat of Cornelia to Misenum. Fate of Opimius. Reflexion upon the Gracchi.

THE troubles occasioned by the Gracchi are a mournful epocha in the Roman History. These were the first civil contests, that were terminated by violence and murder, and in which the blood of Romans was shed by Romans: a fatal example that was soon revived and multiplied, that brought on civil wars, proscriptions, and at length a change of government, and the fall of a liberty, that no longer subsisted, except to give the Commonwealth tyrants under the name of defenders.

Plut. in
Gracch.

THE TWO BROTHERS, Tiberius and Caius Gracchus, whom for brevity-sake I shall usually call the one Tiberius and the other Caius, were the sons of Tiberius Gracchus, who, though he had been Censor, and twice Consul, and had triumphed as often, derived more lustre from his personal virtues, than from all his dignities. His merit, which shone out early, acquired him an illustrious match. He married Cornelia, daughter of the great Scipio, Hannibal's conqueror. We have seen in what manner that marriage took place in effect of the generosity with which Ti. Gracchus, notwithstanding an ancient enmity, declared warmly in favour of the Scipios, in a persecution excited against them by the Tribunes of the People.

Cornelia, after the death of her husband, who left her twelve children, applied herself to the care of her family with a wisdom and prudence, that acquired her great

great esteem. Plutarch tells us, that Ptolomy King of Egypt (this must have been Ptolomy Physcon) would have divided his crown with her, and sent to demand her in marriage; but she refused it. He would certainly have been an husband very unworthy of so accomplished a spouse. There is no great probability in the fact. She lost most of her children in her widowhood. She had only one daughter left, Sempronia, whom she married to the second Scipio Africanus; and two sons, Tiberius and Caius, whom she brought up with so much care, that, though they were generally acknowledged to have been born with the most happy geniusses and dispositions, it was judged, that they were still more indebted to education than to nature. The answer she gave a Campanian lady concerning them, is very famous. That lady, who was very rich, and still fonder of pomp and shew, after having displayed in a visit she made her, her diamonds, pearls, and richest jewels, asked Cornelia earnestly to let her see her jewels also. Cornelia dexterously turned the conversation to another subject, to wait the return of her sons, who were gone to the publick schools. When they returned and entered their mother's apartment, she said to the Campanian lady, pointing to them with her hand, "These are my jewels." A very memorable saying, that includes great instruction for ladies and mothers.

The Gracchi distinguished themselves exceedingly amongst the young Romans of their time, by the talent of speaking; and it has been observed, that they were indebted for it to the particular care their mother * Cornelia took to retain the best masters then at Rome about them, to teach them the Greek language, polite learning, and all the sciences. She spoke her own tongue with great purity: and the language of her children argued it, and did honour to her, whose maternal cares seemed to have had the forming of their

* Gracchus diligentia Corneliae matris à puero doctus, & Græcis literis eruditus. Nam semper habuit exquisitos à Græcia magistros. Cic. in Brut, 104.

bodies less in view, than that of their style. * Her letters are mentioned with praise by Cicero and Quintilian. It is but justice to the ladies to own, that they excel in the epistolary style, which ought to be simple, clear and natural, with elegance and delicacy.

Cornelia had abundance of other great qualities, for which she was highly respected. Juvenal ascribes an air of pride and haughtiness to her, which, in his sense, took much from her merit, when he says, “ That a simple citizen of Venusia was preferable as a wife, to Cornelia, the mother of the Gracchi, if the latter, with great virtues, brought along with her an haughty brow, and was for reckoning the triumphs of her family into her portion.”

*Malo Venusinam, quam te, Cornelia, mater
Gracchorum, si cum magnis virtutibus affers
Grande supercilium, & numeras in dote triumphos.*

Plut. We must return to her children. Through the resemblance of these two brothers in respect to courage, temperance, liberality and magnanimity, some evident differences were however observed. First, as to feature, look, walk, and all motions, Tiberius was calmer and more composed, Caius more warm and vehement; so that when they spoke in publick, the former always kept in the same place, with a grave and sedate countenance; the other was the first of the Romans who introduced motion in the tribunal, going from one side to the other, and using strong and violent gestures. This diversity was also observed in the character of their eloquence, which was extremely warm and vehement in Caius, and in Tiberius mild, and fitter to move compassion. The diction of the latter was pure, and extremely elaborate; that of Caius

* Legimus epistolas Corneliæ matris Gracchorum. Apparet filios non tam in gremio educatos, quam in sermone matris. Cic. in Brut. 211.

Gracchorum eloquentiæ multum contulisse accepimus. Corneliam matrem, cujus doctissimus sermo in posteros quoque est epistolis traditus. QUINTIL. l. 1.

free and bold. The same difference was obvious again at their tables, and in their common expences. Tiberius was simple and frugal: Caius, in comparison with other Romans, was sober and temperate; but with his brother, he seemed to give in to the new taste for pomp and magnificence.

Their manners were no less different in all other respects. Tiberius was mild, moderate, and polite; Caius rough, violent, passionate, abandoning himself in his harangues to excessive gusts of anger, which he could not keep in, and to terms and tones of voice, that suited such emotions. To * remedy this inconvenience, whenever he spoke in publick, he had a servant behind him with a pipe, who when he perceived by the tone of Caius's voice, that he grew over-vehement, and abandoned himself to his fire, he sounded a soft note upon his instrument, which brought back the orator to a less vehement pronunciation. On the contrary, when his utterance grew weak and languid, the same musician touched an higher and more lively note, which, to use the expression, awakened and re-animated him. † It was a very extraordinary thing that Caius, in a publick assembly, in the midst of the turbulent actions, that spread terror amongst the Patricians, and in which he had every thing to fear for himself, should hear the servant, that sounded the pipe, and raise or lower his voice, according to the note given him.

Tiberius was nine years older than his brother. *Plut.* Hence it was, that there was a considerable space of time between their entrance into publick affairs. And this, as Plutarch observes, contributed most to the ruin of all their undertakings and designs; because

* C. Gracchus—quoties apud populum concionatus est, servum post se musicæ artis peritum habuit, qui occultè eburneâ fistulâ pronunciationis ejus modos formabat, aut nimis remissos excitando, aut plus justo concitatos revocando: quia ipsum calor & impetus actionis attentum hujusce temperamenti æstimatorem esse non patiebatur. VAL. MAX. viii. 10. Vide CIC. de Orat. iii. 225.

† Hæc ei cura inter turbidissimas actiones, vel terrenti optimates, vel timenti, fuit. QUINTIL 13.

they did not flourish together, and could not unite their power, which would have become very great, and perhaps irresistible in effect.

Tiberius, almost as soon as he assumed the robe of manhood, acquired so much reputation and esteem, that he was thought worthy of being elected into the college of Augurs, much more upon account of his virtue than on that of his high birth. And Ap. Claudius, who had been Consul and Cenfor, and was actually Prince of the Senate, to unite him to his family, of which he was very desirous, gave him his daughter in marriage. He served in Africa under Scipio, who had married his sister: and, as he lived with him, he had a nearer opportunity of studying that great model, so capable of exciting his emulation. He took the advantage of it, and gave proofs of his valour and good conduct. He had the glory of being the first that mounted the wall of Carthage. His good nature, and engaging manners, acquired the love of the troops, and when he quitted the army, he was highly regretted by every body.

When he was Quæstor, he had Spain for his province; and the unfortunate Mancinus for his General, whose disgrace gave Tiberius occasion to augment his reputation, in shewing not only his activity and understanding in publick affairs, but a respect which would not suffer him ever to forget what he owed his Consul, whilst Mancinus himself, under the load of his misfortunes, almost forgot who he was. We have seen what confidence the Numantines reposed in him, and in what manner he concluded a treaty with them, which saved the Roman army: a fatal event to Tiberius, which, as we shall see, proved the cause and origin of all his misfortunes.

This treaty was received and interpreted differently at Rome, according to diversity of interests. The relations and friends of those, who had served in this war, when Tiberius returned to Rome, assembled in crowds about him, crying out, that they were obliged to him alone for the lives of twenty thousand citizens; and

imputing all that was shameful in the treaty to the General. On another side, those who considered the peace he had made as shameful and unworthy of the Romans, (and these were the persons of the greatest power and authority in the Senate) were on this occasion for following the example of their ancestors, who in a like case, sent back to the Samnites not only the Generals, but all those who had any share in the treaty of Caudium, Quæstors, Tribunes and other officers; thereby making all the odium of violated oaths and breach of faith fall upon their heads. The same did not take place on this occasion, The People decreed, that only the Consul Mancinus should be delivered up to the Numantines, and exempted all the rest from punishment in favour of Tiberius.

Proud of this kind of victory over the Senate, and angry, that their body had declared against him, * he renounced the party of the Old and Great, to whom his father had always adhered, and gave himself up entirely to the People, studying to please them by every means, in order to weaken and ruin the credit of those, whom he considered as his enemies. For this purpose he conceived a method, which, far from having any thing odious in it, seemed only the effect of his zeal for justice and the publick good, and might really have been so to a certain degree.

On the first occasion I had to speak of the Agrarian laws, I said, that it had been a custom with the Romans from the earliest times, when they had conquered a neighbouring people, to confiscate part of their lands, and annex them to the territory of the Commonwealth. Some of these lands were sold: others were distributed amongst the poor citizens, who were sent thither in colonies: and some were let for

* Ti. Graccho invidia Numantini fœderis, cui feriendo, quæstor C. Mancini Cos. cum esset, interfuerat & in eo fœdere improbando Senatûs severitas dolori & timori fuit: istaque res illum fortem & clarum virum à gravitate patrum desciscere coegit. De Harusp. resp. 43.

Ad quem [Tribunatum] ex invidia fœderis Numantini bonis iratus accesserat. Brut. 103.

MUCIUS, CALPURNIUS, Consuls.

the use of the publick. By this regulation the Commonwealth provided for the subsistence and multiplication of her citizens. But in process of time the Great and Rich possessed themselves of almost all these lands, that were originally the State's, either by purchase, or by having such adjudged to them, on account of paying a greater quit-rent, on which small ones had been laid; or lastly by violence. Several regulations had been made to put a stop to these usurpations. The Tribunes Sextius and Licinius had passed a law, by which it was prohibited to possess more than five hundred acres of land. But avarice, industrious to invent new methods for eluding the force of laws, had always broke thro' these feeble barriers. The Rich at first caused these lands to be cultivated by the people of the country, who were free: but as these free farmers were often obliged in time of war, to carry arms, and to suspend the cultivation of land; instead of natives of the country they employed slaves, who did them much more service, and from thence their number increased infinitely: but that of the subjects of the Commonwealth diminished in proportion; and it is easy to conceive what a misfortune this was to the State.

Plut.

Tiberius had been an eye-witness of this, and was sensibly concerned, when in crossing Tuscany on his way to Numantia, he saw the lands lie desert, and found no other husbandmen, herdsmen, and shepherds on them, but slaves from foreign countries, who were exempt by their condition from serving in war.

A. R. 619.
Ant. C.
133.

P. MUCIUS SCÆVOLA.

L. CALPURNIUS PISO FRUGI.

When Tiberius was elected Tribune of the People, he undertook to reform this disorder, and to reinstate the poor citizens in the possession of the lands, of which they had been deprived, by reviving the law Licinia, of which I have just spoke above. Cornelia his mother, who perpetually reproached her two sons with passing their lives in obscurity, and not distinguish-

guishing

guishing themselves by any signal actions, and “ that the Romans called her Scipio’s mother-in-law, and not the mother of the Gracchi,” strongly urged him to propose that law. But what still more determined him to do so, was the People, who by written papers affixed to porticos, walls, and tombs, exhorted him every day to take upon him their defence against the merciless Rich. He however did not think proper to resolve upon it without taking counsel. He communicated his design to some persons, who were considered as the principal citizens of Rome for reputation and virtue. Of this number were Crassus, who was afterwards Pontifex Maximus, the lawyer Mucius Scævola then Consul, and Appius Claudius, father-in-law of Tiberius.

A. R. 619.
Ant. C.
133.

One would think, says Plutarch, that a milder and more humane law was never proposed against so great an injustice, and so enormous an usurpation. For instead of expelling with shame those greedy possessors of others estates from the lands they held, contrary to the laws, and sentencing them to make restitution of all the gains they had unjustly made from them, it only ordained, that they should quit them after having received from the publick the price of the lands they possessed, and that the citizens, whose circumstances required relief, should enter upon them in their stead. It appeared to the People, that the Rich ought to be perfectly satisfied, that no penalty was laid upon them for the past; and that no more was required of them, than to suffer those they deprived of their estates to re-enter upon them. But the Rich were far from thinking in the same manner. They represented that these lands were estates; which had been in their families from immemorial time; that they had built upon them, had planted them, and that the tombs of their forefathers were upon them; that they were fortunes divided amongst brothers, or that the portions of wives were laid out in purchasing them; that they had been given to children in marriage: or lastly, that money had been borrowed upon these lands, which

App. Civ.
l. 1.

A.R. 619. were mortgaged for the payment of their debts.
 Ant. C. These were undoubtedly great difficulties, and give
 133. room to think, it was with reason, that Lælius, who
 in his Tribuneship had the same idea of this matter as
 Tiberius, dropt it, and by that circumspection acquired
 the surname of The Wise, which has done him so much
 honour with posterity. The Rich in consequence
 were justly alarmed, rose up against the law, and even
 went so far as to attack the person of the Legislator;
 endeavouring to persuade the people, that Tiberius
 proposed this new partition of lands only to excite
 great troubles in the Commonwealth, and to induce
 commotions and confusion.

They got nothing by all their outcries and complaints. Tiberius bore them down irresistibly; and as he maintained a cause, that seemed entirely just and honest, with an eloquence capable of carrying an unjust and dishonest one, he made himself terrible to his opponents, when in an assembly of the whole People round the tribunal of harangues, he came to urge the most specious and popular reasons in favour of the Poor, which could not fail of being applauded in an audience so much interested in approving them. “ The
 “ wild beasts, said he, that roam in the mountains
 “ and forests of Italy, have each their hole and den to
 “ retire to; but these brave Romans, who fight and
 “ expose their lives for the defence of Italy, enjoy
 “ only the light and air of the heavens, of which they
 “ cannot be divested, and possess neither house nor
 “ cottage to shelter them from the injuries of the
 “ weather. Without homes, without retreat, they
 “ wander about in the very heart of their country with
 “ their wives and children like miserable exiles. Their
 “ Generals in battles exhort them to fight for the tombs
 “ of their fathers and their household gods: and yet
 “ amongst all this great multitude of Romans, there is
 “ not one, who has either a paternal altar or tomb of
 “ his ancestors. They go to war, and die only to sup-
 “ port the luxury, and to increase the riches of others;
 “ and yet some do not blush to call them the lords
 “ and

“ and masters of the universe, when in reality they have
 “ not a single inch of land in their possession.”

A. R. 619.
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133.

To these words, which he pronounced with a kind of enthusiasm, that shewed * they came from his heart, and that he was sensibly touched with the misfortunes of the People, there was not a single person of his adversaries, that dared to make the least reply. The inconveniences attending the ruin of the fortunes of the best families of Rome and Italy, might undoubtedly have affected minds capable of reason and reflexion. But a multitude, allured by the hope of commodious and agreeable settlements, and prejudiced by such arguments, as we have just seen the eloquent Tribune enforce, were absolutely deaf to the strongest reasons, that could have been urged to the contrary. Accordingly the Rich renounced the thoughts of answering Tiberius, and applied to M. Octavius, one of his colleagues, a young man, grave in his manners, full of moderation and prudence, and besides a particular friend of Tiberius. Octavius in consequence, out of consideration for him, at first refused to oppose his decree. But, as most of the great persons of Rome pressed and conjured him to second them, at length, in a manner carried away by their importunity, he rose up against Tiberius, and opposed his law. Now the opposition of a single Tribune put a stop to every thing, and as long as it subsisted nothing farther could be done.

Tiberius, exasperated by this obstacle, withdrew this law, in which, as we have observed, he had kept within the bounds of moderation, and proposed another of greater severity against the Rich, and therefore more agreeable to the People. It decreed, “ That all those who possessed more lands than the ancient laws allowed, should quit them immediately,” without mentioning any allowance or satisfaction.

Warm disputes passed every day in the tribunal between him and Octavius. But though both spoke with the utmost vehemence, neither said any thing injurious of the other, nor did they suffer the least word

* Scias sentire eum quæ dicit. QUINTIL.

A. R. 619. to escape them in their anger, that could be taxed
 Ant. C. with indecency: such force has a good education to
 133. keep the mind of man within the bounds of wisdom
 and moderation!

Tiberius apprehending, that Octavius might be actuated by private views of interest, because he was possessed himself of a considerable number of the lands dependent on the Commonwealth, in order to induce him to renounce his opposition, offered to indemnify him out of his own fortune, though himself was none of the richest. Octavius did not accept this offer. Tiberius then, to shake the constancy of his adversaries, passed a decree, by which he prohibited all magistrates to exercise their functions, till the people should have deliberated upon the laws. He even shut the gates of Saturn's temple, where the publick treasure was kept, and sealed up the locks, that the Quæstors or Treasurers might take nothing out, nor bring nothing into it; and laid great fines upon such of the Prætors, as should refuse to obey this decree. In consequence, all the magistrates without exception, not to incur that penalty, abandoned their ministration, and suspended their functions. What an enormous power was this in a Republican State, which in the hands of a young man of thirty, can thus with a few words interdict all other magistrates!

In the mean time, the day fixed for the assembly arrived. But when Tiberius was for sending the people to give their suffrages, the Rich had carried off the urns which held the ballots for voting. This circumstance occasioned a great confusion, that might have had very fatal consequences. Manlius and Fulvius, persons of Consular dignity, threw themselves at the feet of Tiberius, conjured him to prevent the dreadful inconveniences, into which he was hurrying, and prevailed upon him to go and consult with the Senate. He repaired to it immediately. But seeing that august body determined nothing, on account of the Rich, who had most credit and authority in it, he formed a resolution, that was generally disapproved,

by

by all persons of worth, which was to depose Octavius from his office of Tribune, despairing of ever being able to pass his law by any other means.

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However, before he proceeded to that extremity, he tried gentle methods. He desired Octavius, in the presence of the whole assembly, and used the most affecting terms he could conceive, squeezing his hands, and conjuring him to depart from his opposition, and to afford the People this grace, who demanded nothing but their right, and in obtaining it, would receive but a slight reward for the many pains, fatigues, and dangers, they had sustained for the Commonwealth. Octavius persisted stiffly in his refusal; upon which Tiberius manifested his design. "We are," said he, "two colleagues perpetually and diametrically opposite to each other, upon an affair of the greatest importance. I see but one means of terminating the dispute; which is, that one of us be deprived of his office. I submit myself to this first. Octavius may bring what relates to me into deliberation. For my part, if the People decree it, I will instantly descend a private person from the tribunal." Octavius being far from accepting such a proposal; "Well then," resumed Tiberius, "to-morrow I will propose the deposing of Octavius to the people. The people shall decide, whether a Tribune, who obstinately opposes their interests, ought to continue invested with a charge, that he received only for their protection."

The next day, the People being assembled, Tiberius mounted the tribunal, and again endeavoured, by the most gentle persuasions, to bring over Octavius. But finding him still inflexible, he proposed the decree for depriving him of his office, and sent the People to give their suffrages. Thirty-five Tribes were present. Seventeen had already given their voices against Octavius, and only one was wanting to form the majority for deposing the Tribune, when Tiberius ordering them to stop, began again to intreat him, embraced him before the whole People, and spared no kind of caresses; imploring and conjuring him not to ex-
pose

A. R. 619.
Ant. C.
133.

pose himself to such an affront, as to be divested of his charge by the People, and not to draw upon him the reproach of having been the author of so rigorous a proceeding.

Octavius could not hear these instances without being moved and softened. He shed some tears, and kept silence during a considerable time, as if deliberating upon the choice he should make. But at length having cast his eyes upon the Rich, and those who possessed lands, who were around him in great numbers, he seemed to be ashamed of breaking the promise he had made them; and turning towards Tiberius, he declared with a resolute tone, "That he might act as he thought fit."

Accordingly, the decree for deposing him being passed, Tiberius ordered one of his freedmen to pull him down from the tribunal; for he employed his freedmen as officers. This circumstance still added to the indignity Octavius suffered. The People however, far from being moved with it, already prepared to fall upon him, when the Rich ran in to his aid; and opposed the fury of the multitude. Octavius escaped with great difficulty; but one of the most faithful of his slaves, who kept continually before him to defend him, and ward off the blows, had both his eyes beat out. Tiberius hearing the tumult, and being informed of what had just happened, was extremely sorry for it, and made all possible haste to prevent the consequences.

All that Tiberius had done hitherto, had at least the appearance of justice. But by an unexampled proceeding, to depose a magistrate, whose person was sacred and inviolable, only for using a right annexed to his office, was an act, that instantly gave every body disgust. It is evident, that Tiberius thereby entirely enervated the authority of the Tribuneship, and deprived the Commonwealth of a resource infinitely useful in times of trouble and division. For, as *

* Quod enim est tam desperatum Collegium, in quo nemo è decem sanâ mente sit? De Leg. iii. 24.

Cicero observes, could it often happen, that the whole college of Tribunes should be so much corrupted and desperate, that not one in ten of them should think with reason, and be well inclined? Now the opposition of but one of them sufficed to frustrate the malignity of the other nine. This right of opposition was therefore the refuge of the Commonwealth; and Tiberius, in annihilating it, gave the State a mortal wound. But this was not all; for he hurt himself extremely. He gave his enemies an handle: he cooled the affection and zeal even of his own party, who had the highest respect and veneration for the Power of the Tribuneship, and could not without grief see it impaired and degraded. * Accordingly, this violent proceeding of Tiberius was deemed the principal cause of his destruction. We shall soon see what he will say in his own justification. But facts, as well as reason and justice, declare against him.

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133.

After the deposing of Octavius, no farther obstacle, that could prevent the passing of the law, remained. It was received, the distribution of the lands decreed, and three Commissioners, or Triumviri, appointed to make enquiry and distribute them. These were Tiberius himself, his father-in-law Appius Claudius, and his brother Caius, then very little more than twenty years of age, and actually serving under Scipio at the siege of Numantia. The People believed it incumbent upon them to choose none but persons, upon whom they could entirely rely, for the execution of a law, in which they were so much interested.

All this passed quietly enough; nobody daring to oppose Tiberius further. The election also of a Tribune to succeed Octavius was at his discretion. He did not take a person of note, but one of his clients, called Mucius, whom his recommendation served instead of merit.

* Quid illum aliud perculit, nisi quod potestatem intercedendi Collegæ abrogavit? Cic. *ibid.*

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133.

The Nobility, notwithstanding, who retained the warmest resentment against him, and dreaded the increase of his power, did him all imaginable affronts in the Senate. Upon his demanding to be supplied with a tent at the publick expence, as was the custom, in order to his using it for incamping, whilst he was employed in this distribution, they refused it him, though it always had been granted even to persons, who were sent to execute much smaller commissions.

They went farther, and ordered him for his expences only nine oboli a day, that is a denarius and an half, about eight-pence sterling. This ill treatment was promoted by † P. Nasica, who publickly declared himself his enemy. He possessed many of the publick lands, and was extremely mortified with being forced to give them up.

All these difficulties only exasperated the People more and more. He was told that his defenders had every thing to fear from the violence and hatred of the Rich. Tiberius, on the occasion of the sudden death of one of his party, who was suspected to have been poisoned, either feigned to be, or actually was, in fear for his life. He put on mourning, and carrying his children to the Forum, he recommended them to the People, and conjured them to preserve those young unfortunates and their mother, as despairing of being able to save his own life, and expecting nothing but death. It is easy to conceive, how much such a sight was capable of moving the multitude.

About this time, Attalus Philometor, the last King of Pergamus, being dead, his will was brought to Rome, by which he had appointed the Roman People his heirs. As soon as it had been read, Tiberius took hold of the occasion and proposed a law, importing, "That all the ready money arising from that Prince's estates, should be distributed amongst the poor citizens, in order that they might have where-

† He had been Consul in 614, under which year we have spoken of him.

with to furnish their new possessions, and to provide themselves with the tools necessary in agriculture." He added, "That as to the cities and territories that formed the dominions of Attalus, it was not the right of the Senate, but of the People, to decree in respect to them."

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133.

Thus Tiberius spared the Senate in nothing, attacking the authority of their whole body, after having shaken the fortunes of almost all the members that composed it. In consequence he was exposed to a thousand invectives and reproaches from the Great, and those in their interest. But the rudest attack he had to support, was from one Annius, a man by no means comparable to him, either by birth, talents, or manners; but one, who in altercations was singularly happy in perplexing his adversaries with captious questions, or keen and witty repartees. This Annius had the boldness to call upon Tiberius to confess, that he had violated a magistrate, whose person was sacred. The incensed Tribune immediately summoned an assembly of the People, brought Annius before it, and prepared to accuse him. But the latter perceiving how much overmatched he was, had recourse to what constituted his strength. He asked Tiberius's permission to put one question to him. Tiberius consented, and the whole People kept silence. Annius then said these few words: "You are for taking revenge of me. Suppose I implore the aid of one of your Collegues: If he takes me under his protection, and in consequence you are enraged, will you deprive him of the Tribuneship?" Tiberius, on this question, was so much disconcerted, that though of all mankind he was the most capable of speaking without preparation, and the boldest and most determinate of haranguers, he remained mute, did not answer a single word, and dismissed the assembly directly.

He fully perceived, that of all he had done in his office, nothing had drawn more odium upon him than the deposing of Octavius, and that the People themselves were shocked at it. Upon this subject he

made

A. R. 619. made a long speech, of which Plutarch repeats some
Ant. C. strokes, to shew the great force of his eloquence, and
133. his address in representing things in favourable colours.
It were to be wished, that we had these fragments in Latin.

He says, " That the person of the Tribune was
" only sacred and inviolable, because he was the man
" of the people, and sacred by condition for their
" protection and defence." " But, added he, if the
" Tribune departing from his destination, does the
" People injury, instead of protecting them; if he
" weakens their power, and prevents them from
" giving their suffrages; in such case he deprives him-
" self of the rights and privileges, that have been
" granted him, because he does not do the things,
" for which alone they were conferred upon him. For
" otherwise, it would follow, that we should suffer a
" Tribune to destroy the Capitol, and burn our arse-
" nals: in that case he would be a Tribune, a bad
" one indeed, but however still a Tribune. Where-
" as, when he destroys and subverts the authority and
" power of the People, he is no longer a Tribune.

" Is it not strange, that a Tribune should have a right,
" when he thinks fit, to drag a Consul to prison, and
" that the People should not have that of divesting a
" Tribune of his office, when he makes no use of it,
" but against those who gave it him? For the People
" equally chuse both Consul and Tribune.

" Regal power, besides including in itself all the au-
" thority and power of the other magistrates, that are
" delegated from it, was also consecrated to the gods
" by the most sacred ceremonies, and the most august
" sacrifices. Rome however did not fail to expel Tar-
" quin on account of his injustice. The guilt of a
" single man was the cause that that power, the most
" ancient of this empire, and which had given birth
" to Rome, was utterly abolished.

" What is there more sacred and venerable in Rome
" than the virgins, who continually watch the sacred
" fire? But, if one of them happens to commit a
" crime,

“ crime, she is buried alive without mercy For, in
 “ sinning against the gods, they no longer retain that
 “ inviolable character; which they solely have on the
 “ account of the gods. In like manner, when a Tri-
 “ bune transgresses against the People, it is no longer
 “ just that he should retain a character, which he has
 “ solely received for the sake of the People: for he
 “ himself destroys the power, to which he owes his
 “ whole force and authority. In consequence, if he
 “ was justly elected Tribune, when the majority of the
 “ Tribes gave him their suffrages, with how much
 “ more reason and justice is he deprived of his office,
 “ when all the Tribes have unanimously given their
 “ votes for deposing him?

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 Ant. C.
 133.

“ There are no things so sacred and inviolable, as
 “ those which have been consecrated to the gods.
 “ However, none ever prevented the People from
 “ using them, from changing their place, and trans-
 “ porting them whither they thought fit. It is there-
 “ fore allowable for them to do with the Tribuneship
 “ what they do with the most sacred things, and to
 “ transfer it to whom they please.

“ And lastly, a certain proof, that this office is not
 “ inviolable, absolutely speaking, nor removeable, is,
 “ that those on whom it has been conferred, have laid
 “ it down of themselves, and have desired to be dis-
 “ charged from it.”

With these specious reasons Tiberius endeavoured
 to cover his violence: weak pretexts, like two-edged
 weapons, tending to reduce every thing to the law of
 the strongest; as that of the two Tribunes, who
 should have most credit and power, would never want
 plausible insinuations, that his adversary attacks the
 rights of the people.

The time for electing new Tribunes approaching,
 both sides spared no pains in canvassing; the one, that
 such might be chosen as favoured the Rich; the other,
 to continue Tiberius in office. The latter even in-
 tended to have his brother Caius appointed his col-
 league, and his father-in-law Appius declared Consul;

Dio

A. R. 619. believing these the sole means for succeeding in his
 Ant. C. enterprizes. He therefore endeavoured to conciliate
 133. the favour of the People more than ever by new laws,
 Plut. and retrenching by all methods the authority of the
 Senate, rather out of a spirit of contention and ven-
 geance, than through any regard for justice and good
 government. He proposed a law for abridging the
 time of serving in the field; for establishing a right
 to appeal to the People from the sentences of all the
 different tribunals; to introduce amongst the judges,
 who were then all of the number of the Senators, an
 equal number of the Knights, and even to give all the
 Vel. ii. 2. states of Italy the freedom of Rome.

Plut. Whilst this passed, the day for the election of the
 Tribunes arrived. Tiberius, and his whole party, see-
 ing that they were not the strongest, because many of
 the People, employed in country works, were absent,
 began first to fly out, and pick quarrels with the other
 Tribunes, to gain time; reproaching them, that for
 their private interests they betrayed those of the Peo-
 ple; and at length Tiberius adjourned the assembly
 to the next day. He then came into the Forum with
 a mourning robe, with the utmost dejection in his
 face, and with tears conjured the People to take him
 under their protection, saying, that he was afraid his
 enemies would attack him with force, and assassinate
 him in the night. By this discourse, he moved the
 People so much, that many of them posted themselves
 before his doors during the whole night.

The next day he went at day-break to the Capitol.
 On his arrival every thing seemed much in his favour;
 as soon as he came in view, the People raised a great
 cry of joy to express their affection; and when he
 ascended the tribunal, he was received with great
 honours, and care was taken, that none should ap-
 proach him, who were not known. I omit several
 bad omens, with which historians do not fail to ac-
 company extraordinary events, and with which they
 observe Tiberius was so much dismayed, as almost to
 consider, whether he should return back, and re-
 nounce

nounce his enterprize. But C. Blossius of Cumæ, who was his great confident, encouraged him, representing to him in the strongest terms, how shameful it would be for him to give way in that manner to his enemies, and to frustrate the expectation of the public.

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At the same time the People were assembled in the Capitol; the Senate had also met in a neighbouring temple: but there was neither order nor tranquillity in either of these assemblies. Nothing was heard but noise, fury, and tumult.

Mucius, the Tribune, who had been substituted to Octavius, having began to call upon the Tribes to give their suffrages, found it impossible to proceed to business, so extreme were the noise and uproar. In this disorder, Fulvius Flaccus, one of the Senators, got upon an higher place, in order to be seen by the whole assembly; but not being able to be heard in effect of the noise, he made a sign with his hand, to signify, that he had something in particular to say to Tiberius. The latter immediately ordered the People to open and make way for him; when Fulvius, who had approached with great difficulty, informed him, that the Senate being assembled, the Nobility and Rich had used their utmost endeavours to bring over the Consul Scævola to their party, and not being able to effect it, they had resolved to kill him themselves; and in order to that had drawn together a great number of their friends and slaves all armed.

Upon this information, those who were about Tiberius thought of preparing for his defence. They girded their robes close, and breaking the staves used by the officers for clearing the way before the magistrates, they took pieces of them to use for want of other arms.

At the same instant Tiberius, who could not make himself heard at a distance on account of the great noise which continued, lifted up his hand to his head, to signify by that action to the multitude the danger that threatened him, and that designs were formed

A. R. 619. against his life. * His enemies, to give that innocent
 Ant. C. gesture a black and infamous construction, cried out,
 133. that he publicly demanded a crown. Q. Pompeius
 had before made way for that calumny, by giving out,
 that the person, who brought the Will of Attalus to
 Rome, had delivered the royal purple and diadem to
 Tiberius, and that the Tribune had received those
 ornaments of the sovereignty, as being soon to reign
 himself in Rome.

The falsity of this accusation was evident: but of
 what will not people make use to destroy an enemy? Scipio
 Nasica, who had put himself at the head of Tiberius's most
 violent adversaries, snatched the occasion of the present
 moment, and called upon the Consul Sævola to aid his
 country, and destroy the tyrant. The Consul, who was a
 prudent and moderate man, replied, "That he would never
 set the example of violent measures, nor deprive a citizen
 of life without his being tried in the forms: but that,
 if the People, at the persuasion of Tiberius, proceeded to
 deliberate upon any thing contrary to the laws, he should
 have no regard to this." Nasica, upon that, rising up in
 a passion, cried out, "As the Consul, through a scrupulous
 exactness to the formalities of the law, exposes the
 Commonwealth and the laws themselves to certain destruc-
 tion, though I am but a private person, I will put myself
 at the head of you." At the same time he wrapped his
 left arm in part of his robe, and lifting up his right,
 said, "Follow me all you, who have any regard for the
 preservation of the Commonwealth." The whole Senate
 arose, and followed Nasica, who went directly to the
 Capitol.

Few dared to oppose the passage of a troop composed
 of all the most illustrious persons of the city. Those
 who followed the Senators had brought large staves and
 levers; and themselves laid hold of the legs

* Cùm plebem ad defensionem salutis suæ, manu caput tangens hortaretur, præbuit speciem regnum sibi & diadema poscentis.
 FLOR. iii.

and pieces of the benches broke by the people in their flight, and opened their way to Tiberius, striking and knocking down all before them without respect to persons. All fled, and many were killed. As Tiberius himself was flying, somebody caught hold of him by the robe to stop him, when he left it in their hands, and continued his flight in his tunic. But happening to fall down as he ran, the moment he got up, P. Satureius, one of his Colleagues, gave him first a great blow on the head with the foot of a bench; and a second was given by L. Rubrius, another Tribune, who boasted of it as of an action much for his honour. Tiberius was but thirty years of age, when he was killed. More than three hundred persons were knocked on the head with staves and stones, and not one slain with the sword.

This is the first sedition, as I have observed before, since the expulsion of the Kings from Rome, in which the blood of the citizens was shed. We have seen, in the best times of the Commonwealth, very warm and violent contests between the Senate and People: but either through the condescension of the Senate, or the respect of the People for that august body, every thing terminated quietly and by measures of reconciliation. Perhaps it had not been difficult in the present occasion for the Senators to have imitated the wise moderation of their ancestors, and to have brought over Tiberius by fair means: or if it had even been necessary to use force, things need not have been carried to such cruel extremities. That Tribune had not above three thousand men with him, and none of them armed with any thing but sticks.

The Great had certainly right on their side. The enterprize of Tiberius was culpable in itself. It never was allowable to deprive the actual possessors and the most illustrious of one half of a state of their fortunes, to transfer them to the other. And though there might have been some injustice originally in the thing, it was in a manner obliterated by long possession: and it is not without reason, that Prescription has been

A. R. 619. termed the patron of mankind. Besides, could it be
 Ant. C. expected, that all the most powerful citizens would
 153. acquiesce in being deprived of their whole estates? Tiberius's law therefore armed one part of the city against the other; and consequently can only be considered as pernicious.

These reflections are * Cicero's, who opposes the conduct of the Gracchi, and such reformers, with that of Aratus, the founder of the Achaian league. Sicyon his country had been under subjection to tyrants during fifty years. Aratus having abolished their power, and brought back six hundred exiles with him, was exceedingly embarrassed, because on one side justice seemed to require, that those exiles should be reinstated in their fortunes, and on the other it scarce seemed equitable to deprive possessors, who had been so during fifteen years. (How much more regard would he have had to possessors of several ages?) But what did Aratus? He obtained a considerable sum of money from Ptolomy Philadelphus, with which he conciliated all interests. "O great man, cries Cicero †, and worthy of being born a Roman! It is thus citizens should be dealt with. The policy and wisdom of a true statesman should not be to divide the interests of a people, but to unite them entirely by common and salutary ties of equity."

These principles, to which it is impossible to object, are a sentence of condemnation against Tiberius. The cause of the Great and Rich was consequently

* Qui agrariam rem tentans, ut possessores suis sedibus pellantur—ii labefactant fundamenta reipublicæ: concordiam primum, quæ esse non potest, quum aliis adimuntur, aliis condonantur pecuniæ; deinde æquitatem, quæ tollitur omnis, si habere suum cuique non licet. Id enim est proprium civitatis atque urbis, ut sit libera, & non sollicita suæ rei cuique custodia.—Quam habet æquitatem ut agrum multis annis aut etiam seculis ante possessum, qui nullum habuit, habeat, qui autem habuit amittat. De Offic. ii. 78, 79.

† O virum magnum, dignumque qui in nostra republica natus esset! Sic par est agere cum civibus—eque humana ratio & sapientia boni civis, commoda civium non divellere, atque omnes æquitatem eadem continere. De Offic. ii. n. 83.

the best. But they dishonoured it by cruelty, and set a pernicious example, which was still more so in its consequences. A. R. 619.
Ant. C.
133.

It is evident, that passion and fury had a great share in their proceeding. For the murder of Tiberius, and his blood so inhumanly shed, was not capable of satiating their animosity. They exercised a cruelty on his body that rises even to barbarity. Notwithstanding the warmest intreaties of his brother Caius, they would not permit him to take it away, to render the last honours during the night, and threw it into the Tiber with the rest of the dead. Thus perished in the flower of life one of the most shining persons Rome had ever produced, who might have become the ornament of his country, if he had used more prudence in the application of his great talents.

P. POPILIUS LÆNAS.

A. R. 620.

P. RUPILIUS.

Ant. C.

132.

The Consuls were ordered by the Senate to prosecute the accomplices of Tiberius. But Rupilius, to whom the province of Sicily had fallen by lot, where we have seen him terminate the war against the Slaves successfully, soon left the care of affairs at Rome to his Colleague, who executed his commission with great severity, or rather cruelty. Many of the unfortunate Tribune's friends were banished without any forms of trial, and many put to death: Diophanes, the rhetorician, was of the number of the latter. Plutarch adds, that one C. Billius, or Villius, was shut up in a tub with vipers and serpents; a kind of punishment entirely new, and which seems almost improbable; unless it was designed to imply, that he was treated as guilty of parricide against his country.

Before Rupilius set out for Sicily, Lælius, who was associated with the Consuls in the commission, relates in Cicero, that Blossius, who had a great share De Amic. in the seditious enterprizes of Tiberius, came to im- 37.

A. R. 620.
Ant. C.
132.

plore his assistance, and earnestly begged that he would pardon him. He did not deny, that he had supported the Tribune to the utmost of his power; and pleaded for his sole excuse, that his esteem and attachment for Tiberius were so great, that he conceived himself obliged to act in every thing as he thought fit. "But," said Lælius, "if he had ordered you to set the Capitol on fire, would you have done it?" "Oh," replied Blossius, "he was not capable of giving me such an order." But, said Lælius, still insisting upon the same question, "Suppose he had commanded it?" "I should have obeyed him," said the other, "A wicked and criminal assent!" cries Lælius; who takes occasion from hence to lay down this excellent principle, * "That we ought never to ask our friends to do what is bad, nor do such things ourselves, when asked by them: for friendship never can be admitted as an excuse or reason for committing any crime whatsoever, and still less for acting against one's country." Accordingly Lælius observes in the same passage, that the friends of Tiberius, and Q. Tubero among the rest, abandoned him, when they apprehended, that he was forming designs against the State. He clearly affirms, that he endeavoured to make himself King, or rather had actually reigned during some months. These terms are very strong: but undoubtedly mean no more, than the exorbitant power Tiberius assumed in the Commonwealth, and not the formal design of taking upon him the name of King, with the diadem and scepter. Lælius was too judicious to adopt popular rumours so void of probability.

* Hæc igitur prima lex in amicitia sancitur, ut neque rogemus res turpes, nec faciamus rogati. Turpis enim excusatio est, & minime accipienda, cum in ceteris peccatis, tum si quis contra rem. se amici causâ fecisse fateatur. De Amicit. 40.

Ti. quidem Gracchum remp. vexantem, à Q. Tuberone æqualibusque amicis derelictum videbamus, 37.

Ti. Gracchus regnum occupare conatus est: vel regnavit is quidem paucos menses, 40.

However, the Senate perceiving that it was necessary to give the People some satisfaction, consented, that the law for the distribution of lands should be put in execution; and that a Commissioner, or Triumvir, should be appointed to supply the place of Tiberius. The choice fell upon P. Crassus, whose daughter Licina was married to Caius.

This conduct of the Senate however did not appease the People, and it was evident, that they only waited an occasion to revenge the death of Tiberius. Many publicly threatened to prosecute Scipio Nasica juridically; and as soon as he appeared, crowds gathered about him, calling him impious, wretch, tyrant, villain, who had polluted the most venerable and most august temple of Rome with the blood of a sacred and inviolable magistrate. The Senate, alarmed for a man so dear to them, saw themselves obliged, in order to remove him from danger to a place of safety, to make him quit Italy, though he was then in the highest office of the priesthood, being Pontifex Maximus. Accordingly he was sent to Asia with a seeming commission, that concealed a real banishment. The troubles excited in that country by Aristonicus, after the death of Attalus Philometor the last King of Pergamus, supplied the Senate with a plausible pretext for sending him thither. He did not live long there. His grief, on account of leading a wandering life out of his country, occasioned his death very soon after his arrival at Pergamus. * Lælius could not think of the sad fate of so illustrious a person, without being so much moved as to shed tears. Cicero mentions him every where with praise. In his pleading for Milo, † he compares him to Ahala, who killed Sp. Mælius; and says, that both of them, by destroying pernicious citizens, had filled the world with their

* Quid in P. Nasicam effecerint, sine lachrymis non queo dicere. De Amicit. 41.

† Sp. Mælium—Ti. Gracchum—quorum interfectores impleverunt orbem terrarum sui nominis gloriâ. Pro Mil. 72.

A. R. 620.
Ant. C.
132.

glory. In another * place he extols his valour, wisdom, and greatness of soul; and affirms, that the best citizens considered him as the deliverer of the Commonwealth. But who does not discern in these excessive praises, given to the author of so criminal a violence, the spirit of party, that injures every thing, and never suffers men to keep within just bounds? Nafica had reason to oppose Tiberius; but his having inhumanly massacred him, is so far from meriting praise, that it is really inexcusable.

A. R. 621.
Ant. C.
131.

P. LICINIUS CRASSUS.

L. VALERIUS FLACCUS.

The first of these two Consuls is the person who had lately been created Triumvir for the distribution of the lands in the room of Tiberius. He was sent into Asia against Aristonicus, and perished there, as has been related.

Caius Gracchus, at the time immediately after his brother's death, whether through fear of his enemies, or to turn the hatred of the publick upon them by affecting to fear them, thought proper not to appear in the assemblies, and to live quietly in private. But this retirement was of no long continuance, and this very year he came into the Forum to support Carbo, who laboured to reanimate Tiberius's party.

C. Papirius Carbo, then Tribune of the People, was one of the most eloquent orators of his times, and often employed his talent in deploring the death of Tiberius. He proposed two laws, both contrary to the desires and power of the Great. The first introduced the method of scrutiny in deliberations upon new laws. I have spoke of it above. The second met with great difficulties, though supported by Caius, and was at last rejected. Lælius, and espec-

* Pater tuus (Cicero speaks of Fusius Calenus) homo severus & prudens, primas omnium civium P. Naficæ, qui Ti. Gracchum interfecit, dare solebat. Ejus enim virtute, consilio, magnitudine animi liberatam rempublicam arbitrabatur. Phil. viii. 13.

ally Scipio Africanus, lately returned from Numantia, strongly opposed it. On this occasion Scipio had very warm contests with the Tribune, and even lost the favour of the People, who had been extremely attached to him before. The affair happened as follows.

A. R. 621.
Ant. C.
131.

Carbo continually harped upon the murder of Tiberius, and in a dispute with Scipio, asked him, what his thoughts were upon that head? He was in hopes of drawing from him an answer favourable to his views, says Valerius Maximus, because Scipio was the brother-in-law of the Gracchi, having married their sister; or, perhaps, being well apprized of what he would answer, his design was to make him odious to the multitude. However that were, Scipio was much above both those considerations. Whilst he was before Numantia, he had declared himself publicly on this subject. For on being told the news of Tiberius's death, he repeated with a loud voice a verse of Homer's, the sense of which is: * "Perish like him who imitate his deeds." On the present occasion, he persisted in his first opinion, and said, that he believed Tiberius had well deserved the death he had suffered. The people were exasperated by this answer: and Scipio was interrupted by cries of indignation and murmurs, which he had never experienced before. But that great man, with the authority which superior merit gives, and only can give, silenced them with a tone of command: and as the noise was undoubtedly raised by numbers of the lowest of the rabble, probably mingled with strangers and slaves, † "Silence, you there," said he, "to whom Italy is but the mother-in-law, not the mother." That haughty tone, and those strong terms, excited new cries amongst the multitude. But Scipio, far from giving way to them, persisted more warmly than before in his reproaches. "Do ‡ not imagine," said

Val. Max.
vi. 2.

* Ως ἀπλοῦτο ἢ ἄλλος, ἐπὶ ταῦτα γὰρ μέλει. Odyss. I. 47.

† Taceant quibus Italia noverca est.

‡ Non efficietis ut solutos verear quos alligatos adduxi.

A. R. 621. he, " that I can fear those whom I brought hither in
Ant. C. " chains, though they are now unbound." This last
131. expression had its effect, and made the whole assembly
silent. But from that instant Scipio began to decline
in the favour of the people, and continued to do so
to his death.

A. R. 622.
Ant. C.
130.

C. CLAUDIUS PULCHER,
M. PERPENNA.

This year the ceremony of closing the Lustrum was performed. The Roman citizens were found by the Census to amount to three hundred and thirteen thousand eight hundred and twenty-three.

The Censors were Q. Metellus Macedonicus, and Q. Pompeius, both Plebeians. Both the Censors were originally chosen out of the Patricians. C. Marcus Rutilus was the first Plebeian who possessed this office; and during two hundred and twenty years, it had been the custom to associate a Patrician and a Plebeian in the Censorship. This year for the first time both Censors were elected out of the order of the People.

Metellus, during his Censorship, made a speech to the People, to exhort the citizens to marry. Celibacy, which is so honourable and worthy of praise with part of the Christian World, was amongst the Pagans only an occasion of abandoning themselves to debauchery with more licentiousness, and to spare themselves the cares that attend the education of children, a matter of so great importance to the Commonwealth. This abuse had already begun to be introduced at Rome; such a progress had corruption of manners made there in a short time. Aulus Gellius has preserved two fragments of the discourse of Metellus upon this subject. The one includes a very fine reflection, as follows.

Aul. Gell.
i. 6.

It appears, that in the preceding part of it not come down to us, Metellus laments the corruption of manners, and endeavours to make the people apprehend

hend in consequence that they would draw down the wrath of the gods upon them. And to make them sensible that it was in vain for them to rely upon the divine goodness, * “The immortal gods,” said he, “are not obliged to will us more good than our fathers. But fathers disinherit incorrigible children. What then can we expect from the immortal gods, if we do not put an end to our disorders? Those only have a right to promise themselves the divine favour, who do not hurt themselves by their vices.” He concludes with this principle so grateful to human pride: “For the gods ought to reward, but not give virtue.”

The other fragment is no compliment to the ladies. I repeat it merely as an historian, without approving the satire it contains. † “If human society,” says the severe Cenfor, “could subsist without women, we should all spare ourselves the troubles and inconveniences they occasion. But because nature has ordained, that we can neither live with them commodiously enough, nor by any means without them, it is better to determine in favour of the propagation of our species, than merely to consult our convenience, in gratifying a short and fleeting appetite.”

Who would believe, that a man of Metellus’s rank, and actually Cenfor, should be in danger of losing his life at noon-day, and that by the punishment inflicted upon the greatest of criminals? This odious excess was a new fruit of Tribunitian violence. Metellus had excluded C. Atinius Tribune of the People from the Senate. The latter, actuated by a fran-

* *Dii immortales*—non plus velle debent nobis, quam parentes. At parentes, si pergunt liberi errare, bonis exheredant. Quid ergo nos à diis immortalibus diutius expectamus, nisi malis rationibus finem facimus? His denum deos propitios esse æquum est, qui sibi adversarii non sunt. *Dii immortales* virtutem approbare, non adhibere debent.

† Si sine uxore possemus, Quirites, esse, omnes eâ molestiâ careremus. Sed quoniam ita natura tradidit ut nec cum illis satis commodè, nec sine illis ullo modo vivi possit; salutis perpetuæ potius, quam brevi voluptati consulendum.

A. R. 622.
Ant. C.
130.

tick desire of revenge, having observed the Censor, on his return at noon from the field of Mars, in the heat of the day, when the Forum and Capitol were entirely empty, he ordered him to be seized, in order to his being carried to, and thrown down the Tarpeian rock. The sons of Metellus, (he had four, all principal persons of the Senate) being informed of their father's danger, flew to his aid. But what could they do against a magistrate, whose person was sacred and inviolable? The Censor was forced to make the Tribune's officers drag him, to gain time by that resistance. This caused him to be treated so roughly, that the blood came out of his ears. But at length a Tribune was found, who took him under his protection, and saved him from his Colleague's fury. * "Does this reflect any praise upon the manners of these times," says Pliny, who has preserved an account of this fact; "or is it not rather new matter of indignation, that in the midst of so many Metelli, the criminal insolence of Atinius should have passed with entire impunity?"

A. R. 623.
Ant. C.
129.

C. SEMPRONIUS TUDITANUS.

M. AQUILIUS.

The three commissioners nominated for the distribution of lands, C. Gracchus, C. Carbo, and M. Fulvius Flaccus, the two latter of which had succeeded Ap. Claudius and P. Crassus, began to excite great troubles at Rome. The enquiry to be made by them was the most difficult, most complicated, and perplexing, that could possibly be imagined. The various changes, which had been made in the lands in question, by removing of bounds; by marriages, that had transferred them from one family to another; by sales, either real or pretended, and covered by a long and peaceable possession; those things would not

* Quod superest, nescio morumne gloriæ, an indignationis dolori accedat, inter tot Metellos tam sceleratam C. Atinii audaciam semper fuisse inultam. PLIN. vii. 44,

admit distinguishing which of such lands belonged to the publick, and which to particulars; and which were possessed under legal titles, or in consequence of unjust, though ancient, usurpations. These difficulties, become unsurmountable through length of time, had always, as we have already observed, made the wisest and most worthy persons of the Commonwealth condemn new distributions of lands, which would have occasioned a strange and inevitable reverse in the affairs of most families, even though the most intelligent and impartial persons had been appointed to make them. What then was to be expected from Commissioners elected for this enquiry, who acted only from passion, enmity, or interest?

A. R. 623.
Ant. C.
129.

Accordingly, from all the countries of Italy, allies and citizens, frightened and in despair through these enquiries, came in crowds to Rome, to represent the exceeding danger and misfortunes that threatened them to the Senate. They addressed themselves principally to Scipio Africanus, under whom most of them had long served, as to the person whom they conceived to have most credit in the State, and to be the most zealous for the public good. This is what is so particularly repeated in Scipio's dream.

* "At your return from Numantia," says the first Scipio Africanus to the second, of whom we are speaking, "you will find the Commonwealth in terrible confusion, occasioned by my grandson [Tiberius Gracchus.] It is now, my dear Africanus, you must use your great capacity, prudence, and courage, for the defence of your country. The Senate, all good men, the allies, the Latines, will cast their eyes on you alone. You will be considered as the sole support of the State. In a word,

* Cùm eris curru Capitolium inuestus, offendes remp. perturbatam consiliis nepotis mei. Hic tu, Africane, ostendas oportebit patriæ lumen animi, ingenii, consilii que tui—In te unum atque tuum nomen se tota convertet civitas. Te Senatus, te omnes boni, te socii, te Latini intuebuntur. Tu eris unus in quo nitatur civitatis salus. Ac, ne multa, Dictator remp. constituas oportet, si impias propinquorum manus effugeris. Somn. Scip. in fragm. Cicer.

A. R. 623. " if you can preserve yourself from the impious hands
 Ant. C. " of your nearest relations, invested with the supreme
 129. " authority of Dictator, you must re-establish good
 " order in the Commonwealth."

This was his full design. He could not refuse himself to the complaints of so many persons of worth, and spoke strongly in their favour in the Senate, without condemning the law of Tiberius directly and in itself, to avoid irritating the People, but contenting himself with setting in their full light, all the difficulties that would attend the execution of that law. He confined himself to demanding, that the contests, which should arise on this subject, should not be left to the decision of the three Commissioners, who were too much suspected by the parties concerned. The Senate came into this opinion, and gave the cognizance of all controverted matters relating to the distribution of lands, to the Consul Sempronius. But this remedy remained without effect; because the Consul, who from the first perceived the difficulty of the commission, or rather the impossibility of bringing it to a good issue, set out for Illyricum, which was his province.

Appian. The People seeing that their hopes were postponed, and that an affair, in which they were so much interested, began to cool, broke out with violence against Scipio, reproaching him, that notwithstanding all the favours with which they had loaded him, having chosen him twice Consul without standing for that office, he abandoned their interests. The three Commissioners took advantage of these dispositions of the People, and spread a report, that preparations were making to annul the law by force, and by the method of arms. Caius went so far as to say, speaking of Scipio in the assembly, " that it was necessary
 " to rid themselves of the tyrant." " The enemies
 " of their country," replied that great man, " have
 " reason to wish my death; for they well know,
 " that Rome cannot fall whilst Scipio lives; nor Scipio live, if Rome should fall." The day before his

Plut.
 Apoph-
 thegm.
 Rom.

his death he was again attacked by Fulvius, the most insolent of the Triumviri, who inveighed against him in the assembly of the People with the utmost rancour. Scipio, uneasy from the designs which he knew were forming against his life, could not forbear complaining of them, and saying, "that he was very ill rewarded for his services by wicked and ungrateful citizens." The zeal of the good increased for him in proportion with the hatred of the bad: and this may be said to have been the most glorious day of his life. On quitting the assembly, the Senators, the Allies, and the Latines, conducted him in a body, and in a kind of triumph, to his house. They did not know, that these were a kind of funeral honours, which they paid him by anticipation. He was found dead the next day in his bed. He was fifty-six years of age. How great was the grief of all good men at Rome! What * groans did they not vent, when they saw, that the enemies of Scipio could not wait the natural term of his life, and by the most horrid of crimes had hastened the death of a citizen, whom they ought to have wished immortal!

A. R. 623.
Ant. C.
129.

Cic. pro
Mil. 10.

It is not to be doubted, but this black deed was perpetrated by the faction of the Gracchi; and it is hard to believe, that Caius had not an hand in it, as all who were most nearly attached to him were violently suspected of it. Plutarch says so expressly of Fulvius: Pompey considered Carbo as undoubtedly the author of it. Sempronia, the sister of the Gracchi, and wife of Scipio, is charged by the epitome of Livy and Orosius: and Appian associates their mother Cornelia with her. From the testimonies of these different authors it results, that Sempronia, who did not love her husband, and was not beloved by him, because she was ugly and barren, having easily given into the instances of Cornelia and the Triumviri, either gave Scipio poison, or caused assassins to

Cic. ad Q.
Fr. ii. ep.
3.

* Quis tum non gemit? Quis non arsit dolore? Quem immortalem, si fieri posset, omnes esse cuperent, hujus ne necessariam quidem expectatam esse mortem! Cic.

A. R. 623.
Ant. C.
129.
Auct. de
vit. Illust.

enter the house in the night, who strangled him. Paterculus adds, that marks were found on his neck, of the violence that had been done to him: and the unusual precaution taken in carrying him to his tomb with his head covered over, seems to argue that the eyes of the curious were apprehended. What much augmented suspicions, and occasioned the complaints of all good men, was, that no enquiry was made concerning the death of so great a person; and Plutarch does not leave us in ignorance in respect to so surprizing an omission. "This was, says he, because the people were afraid, that if the affair were traced to the bottom, Caius might be found criminal."

Behold to what horrors ambition is capable of carrying mankind! Caius was born with a very fine genius, and the most happy disposition to virtue. The boundless desire of aggrandizing himself at any price whatsoever, leads him on to share in the most detestable assassination in all its circumstances, that ever was committed, to the murder of an ally, relation, the principal citizen of Rome, and the greatest of mankind.

An honour, customary to illustrious persons, was however not paid to Scipio. No publick funeral was made for him, that is, decreed by the public authority, and at the expence of the State. But the lively and sincere affliction of the most distinguished citizens of all orders, that attended his body to its interment, supplied its place. Q. Metellus Macedonicus, who had always opposed Scipio, however sent his sons to pay him the last duties. "Go, sons," said he to them, "you will never see the obsequies of a greater man, nor of a better citizen." Q. Fabius Maximus, his nephew, made his funeral oration, of which Cicero has preserved us a very memorable stroke. * "He thanked the gods, that Scipio was born at Rome." "For," added he, "there was an inevitable neces-

Plin. vii.
44

* Gratias egit diis immortalibus, quòd ille vir in hac republica potissimum natus esset. Necesse enim fuisse, ibi esse terrarum imperium, ubi ille esset. Pro Mur. 73.

"sity, that the empire of the world should follow
 "the fate of that great man, and be the State's of
 "which he should have been a citizen."

A. R. 623.
 Ant. C.
 129.

The same Q. Fabius, on giving a feast to the People according to custom, in honour of Scipio Africanus, desired Q. Tubero, the nephew of Scipio, to take care of a table. Tubero carried his averfeness to luxury into the ancient simplicity, and even to the love of poverty. That zeal, so laudable in other respects, was ill-timed here. As if he had been to pay honour to the death of a cynic philosopher, and not of the great Scipio, he contented himself with the most simple and coarse beds for the table, which he covered with goat-skins: and instead of silver plate, he caused the provisions to be served in earthen dishes. * People were so much disgusted with that indecency, that some time after, when he stood for the Prætorship, notwithstanding his personal merit and illustrious birth, his goat-skins drew upon him the disgrace of a refusal. Cicero makes a judicious reflection on this head. "The Roman People, says he, hate luxury in private persons, but love magnificence in what relates to the publick. They do not approve excessive expences in feasts; but hate what is indecently fordid and penurious. They are for distinguishing times and occasions."

Cic. pro
 Mur. 75,
 76.
 Val. Max.
 vii. 5.

Scipio Africanus was rich, but infinitely remote from a taste for the expence and pomp which usually attend riches. It is observed of him, that he never made purchases, sold, or built. At his death all the silver-plate he had, amounted only to thirty-two pounds, and the gold to only two pounds and an half; an evident proof, that those who have personal merit, and are great of themselves, can support the dignity

Plut.
 Apoph.
 Plin.
 xxxiii. 11.
 Auct. de
 vit. Illust.

* Itaque homo integerrimus, civis optimus, cum esset L. Pauli nepos, P. Africani foreris filius, his hœdinis pelliculis præturâ dejectus est. Odit populus Romanus privatam luxuriam, publicam magnificentiam diligit. Non amat profusas epulas, fordes & inhumanitatem multo minùs. Distinguit rationem officiorum ac temporum. Cic.

A. R. 623. of the highest honours and offices, without the glare
Ant. C. of pomp and magnificence.
129.

He was, as we have said before, the son of the famous P. Æmilius, who conquered Perseus, last King of Macedonia. He was adopted by the son of the first Scipio Africanus, and called P. Cornelius Scipio Africanus Æmilianus, uniting, according to the custom of adoption, the names of both families. He * sustained, and even increased their glory, by all the great qualities that could adorn the gown and the sword. During the whole course of his life, says an historian, his actions, discourse, and sentiments, had in them but what was highly laudable.

And indeed he may be considered as the most accomplished hero Rome ever produced. In war, as a Soldier and General, he equally distinguished himself in subaltern employments and the command of armies. With intrepid valour, and exalted greatness in his views, he united a constancy in supporting good discipline, that contributed more to his victories, than even the force of arms. He knew both how to make war, and to conquer without coming to blows. His grandfather, the first Africanus, gained more battles. But without entering here into a comparison above my capacity, it is certain, that his taking the cities of Carthage and Numantia are great and admirable exploits.

In the management of civil affairs our Scipio shewed himself no less an hero. Full of the love of his country, and always firmly attached to publick good, he made all other considerations give place to that one object. In that point he gave proofs of his superior capacity, constancy, greatness of soul, and contempt of the greatest dangers; and lastly, met with death from it, which had spared him in the hazards of war.

* P. Scipio Æmilianus, vir avitis P. Africani paternisque L. Pauli virtutibus simillimus, omnibus belli ac togæ dotibus, ingenii ac studiorum eminentissimus seculi sui: qui nihil in vita nisi laudandum aut fecit, aut dixit, aut sensit. VELL. PATERC. l. 12.

What shall I say of his domestick and private conduct? What generosity, elevation of sentiments, and simplicity, united with the greatest fortune and genius! He was liberal and beneficent, a good son, a good relation, a good friend; mild and good-natured without weakness, and firm without austerity.

A circumstance that had escaped us, comes in here opportunely enough. When he set out for Africa, a man, who had long been attached to him, and paid him his court very assiduously, asked him for the post of * commander of the pioneers in his army: this was a gainful employment amongst the Romans; and as Scipio refused it him, he was very much out of humour. † “Don’t wonder,” said Scipio, with admirable sense and calmness, “that you are denied “by me the employment you desire. I have long “pressed one to accept it, who, I believe, will have “my reputation at heart, and cannot yet prevail “upon him to take it.” He knew, as Cicero observes, that persons in high stations are accountable for the conduct of those they employ about them; and consequently, if they are nice in point of reputation, they ought to desire friends of merit to accept offices of trust, and not bestow them as favours.

Scipio loved letters: and with a soul naturally heroic, he cultivated the gifts of nature by the study of polite knowledge. As his genius was no less solid than bright, he lost none of the fruits of application: he was less intent on acquiring the agreeable than the useful; less the merely ornamental, than what tends to improve the heart, the manners. Perceiving well how much he owed to letters, he was constantly attached to them: and after having devoted himself ar-

* Præfectus Fabrûm.

† “Noli,” inquit, “mirari, si tu à me hoc non impetras. Ego “jampridem ab eo, cui meam existimationem caram fore arbitror, “peto ut mecum præfectus proficiatur, & adhuc impetrare non pos- “sum.” Etenim revera multo magis est petendum ab hominibus, si salvi & honesti esse volumus, ut eant nobiscum in provinciam, quàm hoc illis in beneficii loco deferendum. Cic.

A. R. 623.
Ant. C.
129.

dently to them in his youth, he always persisted in his commerce with them, even when in the highest occupations. What I have said on this subject may be seen where I have spoke of the private life of this great man. I shall add here, that * Xenophon was his favourite author. He found in him all he could desire: the most grateful amusements after cares, with solid lessons both as to morals, and even war, of which he never lost sight.

To all these inestimable advantages, which he derived from the study of the polite arts, let us add, that he formed himself also by the same method for the talent of speaking, so necessary in a Commonwealth, in which the affairs of the universe were decided by the deliberations of the Senate and People. I have already observed, that Cicero sets no less value upon the eloquence of Scipio, than upon that of Lælius: and he characterizes it by attributes, that entirely suit so great a man: † majesty, authority, force of thoughts, and elevations of sentiments. It spoke the august chief, who gave the law to the People, and did not receive it from them.

Scipio united therefore in himself alone all the virtues that constitute the Warrior, the Statesman, the Citizen, and the Man. But what is entirely singular, history does not mention one single blot in so great a life: it praises him without exception; and no part of his conduct stands in need of the least apology.

The authority and counsels of Polybius were very useful to him, as I have said before, in attaining so high a degree of glory. This is a fine example for young persons of high rank. They would still find Polybius's, if they sought them, and might themselves become Scipio's.

* Africanus semper Socraticum Xenophontem in manibus habebat, Tusc. Quæst. ii. 62.

† Quanta illa, dii immortales! fuit gravitas? (Lælius says this on a speech of Scipio's) quanta in oratione majestas? ut facile ducem populi Romani non comitem diceret. De Amic. n. 96.

During the two years that succeeded the death of Scipio Africanus, history is silent concerning the contests occasioned by the distribution of lands. We only know from Plutarch, that Caius kept the Nobility in continual apprehension, by the virtues and talents that shone out in his person. They saw him infinitely averse to idleness and luxury, neither giving into debauch, nor taking pains to acquire riches: besides which, he applied himself to eloquence, that supplied him with arms to sustain the conflicts of the Forum. Every body knows, that at Rome there were * only two methods for attaining the principal dignities, the merit of a great General, and that of a good Orator. These two talents were conceived almost on a level with each other: the one defended the State against the enemy abroad, and the other supported the citizens, and even the Commonwealth, at home.

Caius gave proofs of the progress he had made in respect to eloquence, in a cause which he pleaded for one of his friends called Vettius. The people were so transported with the pleasure of hearing him, that they could not refrain from publicly expressing their joy. They thought they saw a second Tiberius in him, and a new protector of the Agrarian laws. Accordingly, says Plutarch, Caius, on this occasion, made the other orators appear like children compared with him. This great success rendered him still more suspected and formidable to the Nobility; and from thenceforth they agreed, that it was necessary to spare no methods for preventing him from attaining the Tribuneship.

* Dux sunt artes quæ possunt locare homines in amplissimo gradu dignitatis: una imperatoris, altera oratoris boni. Ab hoc enim pacis ornamenta retinentur: ab illo belli pericula repelluntur. Pro Mur. 30.

A. R. 626.
Ant. C.
126.

M. ÆMILIUS LEPIDUS.
L. AURELIUS ORESTES.

Caius having been elected Quæstor, the province of Sardinia fell to him by lot, under the Consul Orestes. The Quæstorship was the first step in the order of dignities. His enemies were extremely pleased to see him obliged by his office to remove from the city and the assemblies of the People; and on his side, he rejoiced no less than they, because he naturally loved war, and had exercised himself no less in arms than in eloquence. Besides which, during the office of Tribune, which had been so fatal to his brother; and not finding himself capable of resisting the People and his friends, who called upon him to accept it, he eagerly seized this occasion of absence, which was become necessary to him, and much to his taste.

If we admit this, it must be allowed that he threw himself into the affairs of government, rather through necessity than choice. It is however certain, that Caius desired it might be thought so. For as Cicero tells us, he himself related a dream to every body, that implies a repugnance in him overcome by fatality only. He said, that at the time when he stood for the Quæstorship, his brother Tiberius appeared to him in a dream, and told him: "Caius, it is in vain to fly: the fates prepare for you a like destiny to mine."

Cic. de
Divin. i.
56.
Plut.
Val. Max.
i. 7.

Caius, on arriving in Sardinia, gave all manner of proof of great merit. He distinguished himself above all the other young persons by his valour against the enemy, by his equity and justice to all under him, and by his affection and respect for his General. But as to what regarded temperance, a taste for simplicity, sobriety and love of labour, he excelled even those that were of more advanced years than himself.

The winter happened this year to be very hard and unwholesome in Sardinia. The General sent to the cities

cities to demand cloaths for his soldiers. The cities at the same time sent deputies to the Senate, to desire to be exempted from this taxation, which exceeded their power. The Senate heard their request favourably, and ordered the Consul to seek cloathing for his troops elsewhere. This order did not a little perplex him; because he knew no means of furnishing the expence, and relieving the soldiers, whom he saw with pain suffer extremely from the rigour of the weather. Caius, who was highly esteemed and beloved throughout the whole island, went from city to city, and by his eloquence prevailed upon them all to send habits, and to aid the Romans in so pressing a necessity of their own accord. This example shews of what importance it is to treat a people well, and to acquire their affection.

The news of this being carried to Rome, so great a service seemed an essay and prelude to what Caius would do to gain the affection of the People, and very much troubled the Senate. Their jealousy, or rather ill-will, rose so high, that Ambassadors, who arrived at Rome about the same time from King Micipsa, having declared to the Senate, that the King their master, out of consideration for Caius, had sent a great quantity of corn to the Roman General in Sardinia; they were highly offended, and made the Ambassadors retire.

M. PLAUTIUS HYPSEUS.

A. R. 627.

M. FULVIUS FLACCUS.

Ant. C.
125.

Fulvius, the Consul of this year, was one of the three Commissioners for the execution of the Agrarian law, a turbulent man, who to console the allies for the loss of the lands taken from them, supported, with the whole authority of the Consulship, the project set on foot by Tiberius, as I have said above, to give all the States of Italy the freedom of Rome. Happily for the publick tranquillity, the people of Massyllia [Marseilles] sent deputies to Rome to demand

App. de
Bell. Civ.

A. R. 627.
Ant. C.
325.

mand aid against the Gauls, their neighbours, who infested them. The care of this war, with which Fulvius voluntarily charged himself in hopes of a triumph, delivered the city for some time from that factious man.

Frein-
them.

In these circumstances, a conspiracy, which had been long forming, broke out on a sudden, by the revolt of Fregellæ, a city of Latium. But it was suppressed in its birth by the care of the Prætor L. Opimius, who besieged the city and took it. If this conspiracy had not been discovered in time, it might then have occasioned the general defection of the allies, which afterwards highly endangered the Commonwealth. That Prætor, who was a declared enemy of the family of the Gracchi, in the account which he gave the Senate of that conspiracy, threw out some suspicions of Caius, and represented facts in such a manner, as to make him seem the principal secret promoter of the enterprize,

A. R. 628.
Ant. C.
324.

C. CASSIUS LONGINUS.

C. SEXTIUS CALVINUS.

L. Aurelius had now been two years in Sardinia. He was however continued in the command in the same province this year, and new troops were sent him to relieve those who had hitherto done good service under him. The Senate's principal design in continuing the command to Aurelius in Sardinia, was to keep Caius there also, in quality of Proquæstor, and to prevent him, under that pretext, from appearing at Rome, where his presence was dreaded. But Caius did not give into this snare, but embarked for Rome, where he appeared on a sudden, when he was believed to be still in Sardinia. His enemies did not fail to make this a crime, and took this occasion for rendering him odious, as a bold and daring young man, who set himself above the laws. The People themselves at first condemned so precipitate a retreat,

and thought it strange for a Quæstor to come home before his General.

A. R. 628.
Ant. C.

124.

Being obliged to appear before the Censors to give them an account of his conduct, he defended himself with abundance of force and modesty. He represented to them, "That he had served twelve years in the field, though the laws required only ten. That he had continued two entire years with his General, acting as Quæstor, though the law permitted a Quæstor to retire after one year of service. * That during the whole time he had not received a single obolus as a present from the allies, and had not suffered them to be at any expence on his account. That if it could be said that any debauched women had entered his house, he submitted to be considered as the last and most contemptible of mortals. He added, that he was the only one of this army, who had carried out his purse full of money, and had brought it back empty; whereas all the rest had drank up the wine they had carried out in their flaggons, and had brought home the same flaggons full of gold and silver." He pleaded his cause so well, that he brought over all that were present to his side; and his judges were convinced, that great injustice had been done him.

After this affair, many others were set on foot, and several still heavier articles of accusation were formed against him. For he was accused of having solicited the allies to take arms against the Romans, and of having had a share in the revolt of Fregellæ. But he defended himself so well against the heads laid to his charge, that he entirely removed all the suspicions that had been propagated against him. When he had

* Ita versatus sum in provincia, ut nemo possit verè dicere assem aut eo plus in muneribus me accepisse; aut mea opera quemquam sumptum fecisse—Si ulla meretrix domum meam introivit—omnium natorum postremum nequissimumque existimatote. Itaque, Quirites, cum Roma profectus sum, zonas, quas plenas argento extuli, eas ex provincia inanes retuli. Alii vini amphoras, quas plenas tulerunt, eas argento plenas domum reportaverunt. Apud AUL. GELL. XV. 12.

A. R. 628. purged himself of them, he applied himself to can-
 Ant. C. vassing for the Tribuneship.
 142.

All the Nobility and Rich in general opposed him in this demand, of which they extremely apprehended the consequences. But the People were so highly in his interest, that a kind of inundation of citizens came from all parts of Italy to share in his election. The multitude of them was so very great, that vast numbers could not find lodging, and the Field of Mars being too little to contain them all, they gave their suffrages with loud voices from the roofs of houses. All the advantage the Nobles acquired from the pains they had taken, was the slight mortification they gave Caius, in being chosen only fourth, whereas he expected to have been nominated first. But they did not get much by that. For he no sooner entered upon office, than he became the first by the superiority of his merit to that of all his Collegues.

Cicero * makes no difficulty to say, that Caius had talents, if he had lived longer, to have equalled his father Gracchus, and his grandfather Scipio Africanus. He extremely regrets, that he chose rather to approve his zeal for his brother's memory, than piety to his country: and he owns, that the State and Letters were equally losers by his death. As to his eloquence, he gives it the highest praises. He extols his noble diction, solid thoughts, rich abundance, and a majestic gravity and force, that placed him much above all the orators that had appeared till then at Rome, and which were capable of carrying him on to a degree of perfection, that would have left him no cause to fear that he should ever have a superior.

* Noli putare, Brute, quemquam pleniorē & uberiorē ad dicendum fuisse—Damnum, illius immaturo interitu, res Romanæ Latiniæque litteræ fecerunt. Utinam non tam fratri pietatem quàm patriæ præstare voluisset! Quàm ille facilè tali ingenio, diutius si vixisset, vel paternam esset vel avitam gloriam consecutus: Eloquentia quidem nescio an habuisset parem neminem. Grandis est verbis, sapiens sententiis, genere toto gravis. Brut. 125, 126.

* What particularly animated his eloquence, was the force with which his respect and tenderness for his brother inspired him, the remembrance of his cruel death, that was always before his eyes, and affected him with the most lively affliction; and lastly, a violent desire of avenging it. For whatever was the subject of his discourse, he always found occasion to deplore his brother's death, and incessantly recalled that idea to the People, which supplied him with the most pathetic thoughts and expressions. † "Whither shall I fly," said he, "where shall I find an asylum? Shall I go to the Capitol? But that temple is still wet with my brother's blood. Shall I go to hide myself in my own house? But there I find a mother inconsolable, and in despair." To such moving discourse he added a manner of speaking, a tone of voice, gestures, and looks, which drew tears from the eyes even of his enemies.

A. R. 628.
Ant. C.
124.

Sometimes to the sanguinary violence committed upon Tiberius, he opposed the quite different conduct of the ancient Romans. "Your ancestors," said he, "in former times, declared war against the Falisci, to revenge Genucius, Tribune of the People, whom they had insulted only in words; they condemned C. Veturius to die, because, as one of the Tribunes was going through the Forum, he had been the only one who refused to make way for him to pass. Whereas those men," pointing to the Nobility, "knocked my brother Tiberius on the head with staves before your eyes; in their fury they dragged his murdered body through the city, and threw it into the Tiber, to deprive it of funeral honours. Without any form of justice, they put all his friends to death that fell into their

* C. Gracchum mors fraterna, pietas, dolor, magnitudo animi, ad expetendas domesticæ sanguinis pœnas excitavit. Cic. de Harusp. resp. 43.

† Quò me miser conferam? quò vertam? In Capitoliumne? at fratris sanguine redundat. An domum? matremne ut miseram, lamentantemque videam, & abjectam? C. Gracchus apud Cic. l. iii. de Or. n. 214.

"hands.

A. R. 628. " hands. However," added he, " it is a custom ob-
 Ant. C. served in all times at Rome, that when a man is
 124. prosecuted criminally, if he does not appear early
 " in the morning, an officer is sent to his door to
 " summon him by sound of trumpet; and before that
 " ceremony is performed, the judges never proceed
 " to pass sentence. Such was the care and precau-
 " tion of our ancestors in their trials, when the life
 " of a citizen was in question."

TRIBUNESHIP of CAIUS.

A. R. 629.
 Ant. C.
 123.

Q. CÆCILIUS METELLUS.

T. QUINTIUS FLAMININUS.

Caius, after having warned the People by such discourses, proposed two laws, both tending to attack the enemies of Tiberius. The one was, " That every magistrate deposed by the People should be rendered incapable of standing for any office." The other decreed, " That the magistrate, who should have banished a citizen, without having prosecuted him according to the forms, should be cited and tried before the People." The first of these laws directly regarded Octavius, whom Tiberius had caused to be deposed; and the other Popilius, who being Consul, had banished the friends of Tiberius, without having very exactly observed the forms of justice. Popilius did not wait the sentence of the People, and voluntarily banished himself from Italy. He was not long an exile. Caius was no sooner killed, than the Tribune L. Calpurnius Bestia caused Popilius to be recalled by the suffrages of the People themselves. As to what concerns the other law, Caius annulled it at the request of his mother, who interested herself for Octavius. The People came readily into this: for they highly honoured Cornelia, as much out of consideration for her two sons, as on account of her father; which evidently appeared some time after by a statue
 of

of bronze, which they erected to her with this inscription, “Cornelia, the mother of the Gracchi.”

A. R. 623.
Ant. C.
123.

These two first laws were only a prelude to many others that followed; and Caius omitted nothing, that could retrench the authority of the Senate, and augment that of the People.

He renewed his brother's law for the distribution of lands: and caused himself to be established, or confirmed, Triumvir for that distribution, with M. Fulvius and C. Crassus.

He decreed, that the soldiers should be supplied with habits, without any deduction from their pay; and that no citizen should be enlisted till the age of seventeen years compleat.

He did not forget the multitude that inhabited Rome, and decreed, that a certain quantity of corn should be distributed monthly to the poor citizens upon the foot of something less than an half-penny of our money. * This law gave the People infinite pleasure, who were thereby provided for, and dispensed from working. But all persons of worth opposed it: first, because it exhausted the publick treasury; but especially, because if it be incumbent on a wise government to relieve such as are really poor, and not in a condition to get their living, it is no less certain, that by indiscriminately taking the inferior people from the habit and necessity of labour, infinite harm is done the Commonwealth, which is overburthened with the multitude of the idle and lazy, who give themselves up to all kinds of disorders and excesses. This kind of largesses, therefore, says Cicero, are laudable, when they are moderate, and regulated by real occasions: but excessive and indefinite, as these of Caius were, they must be deemed very pernicious.

De Offic.
ii. 70.

* *Frumentariam legem C. Gracchus ferebat. Iucunda res plebi Romanæ: victus enim suppeditabatur largè sine labore. Repugnabant boni, quòd & ab industria plebem ad desidiam avocari putabant, & ærarium exhauriri videbant. Cic. pro Sext. 103.*

A. R. 629.
Ant. C.
123.

The distributions of corn decreed by Caius were really indefinite. For it appears, that it included the rich as well as the poor. The fact, which I am going to relate, is a proof of this. L. Piso, surnamed * Frugi, that is, honest man, a person then of Consular dignity, but still more venerable for his universally acknowledged probity, had been one of those who had most strongly opposed the law of Caius, of which we are speaking. When this law had overcome all obstacles, and began to be put in execution, Caius, seeing him amongst those who came to take the distribution, called upon him before the whole People, and reproached him with acting inconsistently with himself, in demanding his share of corn in consequence of a law which he had opposed. "I would not willingly consent," replied Piso, "that you should distribute my fortune to the citizens. But if you were to do it, I should come at least to ask my part of it." To talk thus, was publicly condemning the law of Caius, as ruining the treasury, and exhausting the patrimony of the publick, of which Caius however boasted himself in all his speeches the defender and preserver: but his actions proved quite the reverse.

He also passed decrees for settling colonies, making highways, and building publick magazines; and he took upon himself the direction and management of those important works, without ever sinking under the weight of care, and without seeming so much as perplexed with so many and so great undertakings; but on the contrary, executing them all with as much readiness and attention, as if each had been the

* Piso ille Frugi semper contra legem frumentariam dixerat. Is, lege lata, consularis ad frumentum accipiendum venerat. Animadvertit Gracchus in concione Pisonem stantem. Quærit, audientem populo R. qui sibi constet, cum eâ lege frumentum petat, quam dissuaserat: "Nolim," inquit, "mea bona, Gracche, tibi viritum dividere liceat: sed si facias partem petam." Parum-ne declaravit vir gravis & sapiens, lege Sempronîa patrimonium publicum dissipari?—C. Gracchus cum largitiones maximas fecisset, & effudisset ærarium, verbis tamen defendebat ærarium. Quid verba audiam, cum facta videam. Tuscul. Quæst. iii. 48.

only one he was charged with. The People were transported to see him always followed by a crowd of undertakers, workmen, ambassadors, officers, soldiers, and men of letters, with whom he conversed familiarly with great humanity, always retaining his gravity and dignity in the midst of his obliging and polite behaviour, accommodating himself to their several characters, and talking with each in his own way; an uncommon talent, but absolutely necessary to persons in high stations!

The works which he had most at heart, and to which he applied with the greatest attention, were the great highways, in which he confined himself principally to conveniency, without neglecting however beauty and ornament. He carried on these ways in right lines across countries, paved them with fine hewn stones wherever there was occasion, or used splinters of stone and gravel to make the roads firm. He caused all bogs and hollows made by the course of waters to be filled up, or joined them to banks by strong bridges. Besides this, he divided all these ways into equal distances, each of a thousand paces, and caused a kind of stone pillars to be erected, on which the number of these miles were cut, beginning from Rome. And hence come the words so common in Latin authors, *tertio, quarto ab urbe lapide*. On both sides he also caused stones to be placed to assist travellers in getting on horseback: for in his time the use of stirrups was unknown.

The credit of Caius daily augmented amongst the People, who gave him the highest praises, and declared themselves ready to add the most essential marks of their affection. Caius took the advantage of this good disposition, to remove from the Consulship Opimius, his mortal enemy, who had formerly endeavoured to have him considered as the author of the conspiracy at Fregellæ, and to substitute Fannius in his place, from whom he certainly expected more support than he received. For this purpose he said one day to the People, in haranguing

A.R. 629.
Ant. C.
123.

them, that he had one favour to ask of them upon the day of the election of Consuls, which should be, if obtained, the sum of all rewards to him, but however, if denied, he should never complain of it. This declaration gave great disquiet; and particularly alarmed the Senate. Every-one interpreted the intention of Caius his own way. The day of election being come, and every body in expectation of what he would ask, he came to the Field of Mars, leading C. Fannius by the hand, and soliciting with all his friends in his favour. The People did not hesitate, and created Fannius Consul, giving him Cn. Domitius for Collegue. Besides this, they continued Caius himself in the Tribuneship, though he had neither asked, nor made any interest for it. His actions canvassed sufficiently for him.

A.R. 630.
Ant. C.
122.

C. FANNIUS.

Cn. DOMITIUS.

Caius, always intent upon weakening the authority of the Senators, and seeing that the privilege of having the sole administration of justice gave them great power, did not content himself with associating the Knights with them in adjudging causes, as Plutarch says, (which the learned Manucius shews, he was mistaken) but he deprived the Senate entirely of it, and transferred it to the Knights. * Many changes were made in this respect in the sequel. The flagrant injustices committed on trials, in which criminals, most notorious for oppressions and extortions, found assured protection by corrupting the judges with presents, served Caius as specious pretexts for proposing his law, and the people for establishing it by their suffrages. The same reason made the Senate ashamed to oppose it.

* The Knights retained the power Caius granted them during sixteen or seventeen years, till the Consulship of Cæpio, who associated the Senators with them. The Knights were afterwards in full possession of the judicature; which was again divided between them and the Senators sometime after, till Sylla deprived the Knights entirely of it.

When

FANNIUS, DOMITIUS, Consuls.

147

When Caius had passed this law, he publickly boasted, that he had utterly ruined the power of the Senate; and he was not mistaken. The Knights, now sole masters in adjudging causes, made themselves formidable to the Senators. They soon imitated, and even surpassed, those they had succeeded in corruption and iniquity. As the farmers of the publick revenues were of their order, their new power gave them the means of boldly committing peculation, and of robbing the Commonwealth with entire impunity. They did not content themselves with receiving presents for acquitting the guilty: they went so far as to destroy the innocent. We shall see facts of this kind, which will prove, that to reform abuses, it was necessary not to transfer the administration of justice from one order to another, but to reform the whole State, which was universally corrupted, and to revive, if that had been possible, the sentiments of honour and probity of the ancient Romans.

A. R. 636.
Ant. C.
122.
Appian.
Bell. Civ.
1. 1.

Another change, which he either introduced, or * revived, though slight in appearance, discovers the real intentions of Caius, and shews, that his plan was entirely to change the government of Rome, to make it degenerate into a mere democracy, and to deprive the Senate of the principal rank and authority. It was the custom for those who harangued in the tribunal, to turn towards the Senate, and the place called the Comitium. Caius, in speaking, affected to turn towards the other end, which was the Forum; and after he had began this, he always persevered in it; to shew, that the sovereign power was vested in the People, and that it was to them, and not to the Senate, all who spoke of publick affairs ought to address themselves.

Caius seeing, that the Consul Fannius, notwithstanding his obligations to him, was extremely cold

* Cicero and Varro mention one Licinius, Tribune the 607th year of Rome, as the author of this practice. To reconcile Plutarch with them, we may conjecture, that the example of Licinius had not been followed by his successors, and that Caius revived it.

A. R. 630.
Ant. C.
122.

in his affairs, neglected nothing to conciliate the People, and made new laws. Accordingly he proposed the sending of colonies to Tarentum and Capua, and undertook to have the freedom of the city, and the right of voting, granted to all the states of Italy, almost to the Alps, which would have enabled him to have passed whatsoever he pleased in the assembly.

The Senate, terrified with the power of Caius, which became more exorbitant every day, and apprehending, that it would at length attain to an height, which would make it impossible to oppose it, conceived a method entirely new, and hitherto unheard of, for exceedingly weakening his credit with the People. This was to render itself still more popular than Caius, and to grant the People, without much regard to right and just, whatever could be agreeable to them.

Amongst the Collegues of Caius, there was one very capable of becoming his rival. This was Livius Drusus, whose happy natural parts had been cultivated by the most excellent education; besides which, he was rich, eloquent, and one of the principal citizens of Rome in every respect. The Great applied to him, and pressed him to oppose Caius, and unite with them, not in violently contending against the People, and resisting what they desired; but on the contrary, in studying to please them in all things, and even in those for which it had been glorious to have incurred their hatred. It was no longer a time for a Consul to say to the People: "I should be very glad, Romans, to please you; but I chuse much rather to preserve you, whatever disgust you may conceive for me in consequence." This constancy seemed no longer in season: and it had cost the great Scipio Africanus his life, for desiring to follow these ancient maxims. The Senate therefore gave way on this occasion, and thereby attained their ends; but it must be confessed, it is at the expence of their glory.

An impulse of jealousy, common enough, and in a manner natural, to those who see some one of their

Collegues raise himself above all the others, either by his merit or credit, and in some measure take upon him to lord it over the rest, was a sufficient motive to determine Drusus to give into the proposal made to him. The publick utility put into his hands, the honour of restoring the tranquillity of the State, and reconciling both parties, seemed also reasons worthy of a good citizen. He therefore gave himself up to the Senate: he proposed and passed laws, which had nothing meritorious, or of real use, in them, but of which the sole end was to do still more for the People than Caius did, and thereby to deprive him of the affection of the multitude. The approbation given by the Senate to all the enterprizes of Drusus, shews plainly, says Plutarch, that it was not so much the laws of Caius, as his person itself, and too great authority, that had displeased them.

A. R. 63
Ant. C.
122.

Accordingly, when Caius decreed the establishment of two colonies, for which he was for having the most worthy of the citizens chosen, the Senate rose up against him, and treated him as a flatterer of the People: and when Drusus established twelve, and sent three thousand of the poorest citizens into each of them, they supported him with their whole power. They did the same in every thing; and Drusus never failed, in proposing his laws, to declare, that he acted by the advice of the Senate; which much abated the People's rancour against the principal persons of that body, and almost entirely extinguished the animosity which the Gracchi had fomented between the two orders.

Such was the undoubtedly salutary effect of the Senate's policy, and of the laws of Drusus: an effect, which manifestly gave the superiority to the cause of the Great over that of the Gracchi, as all the measures of the two brothers tended only to sowing division, whereas those of the Senate restored concord. Let us add, that if it was for the good of the State, as cannot be denied, that the principal authority of the government should remain in the hands of that

A. R. 630.
Ant. C.
122.

august body, rather than be abandoned to the caprice of the multitude, the end which the Senate proposed in the laws of Drusus, was good and laudable; though the means they employed were below their dignity.

Plut.
App. p. 85.

Caius might have perceived, that his credit declined. An action of his at this time gives reason to doubt, whether he was aware of it, or not. Q. Rubrius, one of the Tribunes, not to continue idle whilst his Collegues were so busy, and to distinguish himself also by something memorable, caused it to be decreed by the People, that Carthage, which had very lately been destroyed by Scipio, should be rebuilt, and a colony sent thither. At the time of its destruction, it had been forbidden to inhabit it for the future in the name of the Roman People, with horrible imprecations against such as, contrary to this interdiction, should undertake to rebuild it. Caius was not terrified by them, and to make his court to the People, (perhaps also to remove the trophies of Scipio,) he undertook to re-people it, and carried a colony thither consisting of six thousand citizens. To remove from Rome in the present state of affairs, and to leave his rival there, was not acting like a good politician.

Drusus accordingly, taking advantage of his absence, made new efforts to engage the People, and conciliate their favour; wherein he was exceedingly assisted by the bad conduct of Fulvius. He was the particular friend of Caius, and commissioner with him for the distribution of lands; a man of a seditious and turbulent spirit, hated by the whole Senate, and suspected by all good citizens, as promoting insurrections amongst the allies, and secretly exciting the states of Italy to revolt. These were only reports, that were supported by no certain and evident proof: by it his conduct made them probable; for he never took the right side of a question, and always declared against union. This was what contributed most to the ruin of Caius: for all the hatred conceived for Fulvius, fell by reflexion upon him.

Caius,

Caius, however, was employed in re-building and re-peopling Carthage, of which he changed the name, and called it Junonia, that is, "The City of Juno," the tutelar goddess of ancient Carthage, as Virgil * has observed almost an hundred years after. The Tribune found obstacles to his projects, as I have related in the preceding book. He however persisted, and having regulated and ordained every thing in the space of seventy days, re-imbarked and returned to Rome. Amongst other motives which induced him to hasten his return, one of the principal was his apprehension of the Consulship of Opimius, whom he had set aside the preceding year, but who actually stood now, and was elected Consul for the year ensuing.

A. R. 630.
Ant. C.
122.

Caius found a change of disposition at Rome, which might have made him sensible of his fault in removing from it. To omit nothing that might regain him the favour of the People, he thought it necessary to change his habitation. Instead of residing on Mount Palatine, he removed to below the Forum; a much more popular place, because it was the quarter of the inferior people, and poorest citizens.

He conceived another more effectual means: this was the promulgation of several new laws. It is very probable, that the laws which he proposed on the present occasion, were those which were intended for communicating the freedom of Rome, and the right of suffrage, to the Latines and other states of Italy. The allies in consequence flocking to Rome from all parts, and surrounding Caius continually, the Senate persuaded the consul Fannius to make all persons, that did not inhabit Rome, retire, and to leave none but citizens in it. An order almost unheard of till then, and which seemed very strange, was published by sound of trumpet, "prohibiting every-one, who was not a citizen, to remain in Rome, or to approach nearer than five miles to the city, during the whole

* Quam Juno fertur terris magis omnibus unam
Polsthabita coluisse Samo.—ÆN. I. 20.

A. R. 630.
Ant. C.
122. time that the new laws should be in deliberation." Caius, on his side, affixed papers, on all sides, complaining of this unjust proclamation of the Consul's, and promising to aid all the allies, who should continue in Rome, with force. He however did not keep his word. For seeing one of his friends and guests insulted by the Consul's officers, on account of disobeying that prohibition, he went forwards, and gave him no aid; whether, perceiving his credit diminished, he was afraid to expose himself on the occasion, or, as he said himself, he was unwilling to give his enemies the pretext they sought of coming to blows, and drawing on some combat.

He happened at the same time to differ exceedingly with his Collegues, on the occasion I am going to relate. The People were to be present at a combat of gladiators to be exhibited in the Forum. Most of the magistrates caused scaffolds to be erected round the place in order to let them. Caius gave them orders to take them down, that the poor might have those places to see the shew without paying. As nobody obeyed his command, he stayed till the night before the games, and taking along with him all the carpenters and workmen at his disposal, he made them demolish all those scaffolds himself, and thereby rendered the place free for all the citizens indifferently. This action made the multitude consider him as a man of resolution and courage; but his Collegues were dissatisfied, and taxed him with boldness, and violence.

A. R. 631.
Ant. C.
121.

LUCIVS OPIMIUS.

Q. FABIVS MAXIMVS.

Opimius had failed of the Consulship the year before, as I have already observed, through the credit of Caius, who at that time caused Fannius to be elected Consul. He was revenged on him this year, and Caius, in his turn, who expected to be chosen Tribune for the third time, was excluded from that office,

office. According to some authors, he however had the plurality of voices: but his Collegues, perhaps in concert with Opimius, through envy and revenge, acted very unjustly in making their report of them. This point was not cleared up in time, and remained doubtful. The enmity between Caius and Opimius, which had appeared before, then broke out with more violence than ever, and was carried to the last excesses.

Opimius no sooner saw himself Consul, than he undertook to cancel several of Caius's laws. He insisted principally on that which regarded the re-establishment of Carthage; strongly reproaching Caius with having formed and executed that enterprize contrary to prior prohibitions to rebuild the walls of that rival of Rome, and notwithstanding the will of the gods, who had manifestly declared themselves by sinister omens and prodigies, which ought immediately to have made him desist from that design. A Tribune, supported by the authority of the Senate and Consul, accordingly proposed the abolition of the law concerning the colony of Carthage, and perhaps of some other laws of Caius. The day for the assembly was declared for proceeding to deliberation upon these points. Caius at first supported all these affronts with patience, and seemed disposed to employ no measures against his adversaries but those of peace and justice; whether he diffided in his credit with the People, or prudentially avoided giving the Consul the occasion he sought to excite trouble, and proceed to violence. But his friends, and particularly Fulvius, animated him so strongly, that he drew his partizans together to oppose the Consul. He thereby acted very wrong, as, being only a private person, he resisted the publick authority with force.

The day the assembly was to be held, Opimius on one side, and Caius on the other, occupied the Capitol in the morning. The Consul having performed the sacrifice, one of his officers, called Q. Antyllius, who was carrying away the intrails of the victims, said

A. R. 631. said to Fulvius, and the great multitude round him,
 Ant. C. "Make way, bad citizens, and let honest men pass."

121.

This offensive word enraged them to such a degree, that they fell upon Antyllius, and killed him upon the spot with the bodkins (or *stylis*) of their table-books; which, it is said, they had purposely made larger than usual, in order to use them as arms upon occasion. This murder occasioned a great tumult. Caius was extremely afflicted at it, and flew out against his followers, reproaching them that they had given their enemies an handle, who had long sought only a pretext for shedding blood. Opimius, on the contrary, considering this event as favourable to his designs, prepared to take the advantage of it, and excited the People to vengeance. But an heavy rain happened to fall, which obliged them to separate.

The next day the Consul assembled the Senate; and whilst he was speaking, certain persons by his own direction, having placed the body of Antyllius upon a bier, carried it across the Forum to the Senate-house with great cries of grief. Opimius, on hearing this noise, feigned surprize, and all the Senators went out to see what was the matter. The bier having been set in the middle of the Forum, they surrounded it, and lamented the murder as a great disaster: miserable comedy! which with reason excited the People's indignation. "They massacred Ti. Gracchus, the "Tribune of the People," said they, "and threw his "body into the Tiber; and now when a Licor, who "perhaps did not deserve his misfortune, but at least "drew it upon himself by his imprudence, is exposed "upon the Forum, the Roman Senate surrounds his "bier, raises lamentable cries concerning his death, "and attends with pomp the funeral of a pitiful fellow, "in order that they may succeed in destroying the "last surviving defender of the Roman People."

The Senate having afterwards returned into their house, passed a decree, by which the Consul was directed to provide for the safety of the Commonwealth:

UTI L. OPIMIUS CONSUL REMPUBLICAM DEFEN-

DERET.

DERET. This form gave him an unlimited power. The Consul then ordered all the Senators to take arms, and all the Knights to attend him the next day in the morning, each with two servants well armed. At the same time he caused Caius and Fulvius to be cited to come in person, and give an account of their conduct to the Senate.

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App. Civ.
l. i. 365.

They were far from complying with this summons, that is, from delivering themselves up to their enemies. Fulvius drew together and armed as many people as he could. Caius seemed to have no thoughts of his defence: but on returning from the Forum, he stood near his father's statue, looked at it a great while without speaking a word, and could not help shedding some tears, and venting some sighs, perhaps regretting too late his not having followed the example of so illustrious a father, who had always adhered to the party of the aristocracy, and had been so happy in effect. The People, who saw Caius in this condition, were moved with compassion. All of them, reproaching themselves with cowardice for abandoning and betraying such a protector, followed him home, and passed the night before his doors. They kept guard there; but mournfully, and with silence, reflecting upon the public calamities, and those which threatened them in their private condition. At Fulvius's, on the contrary, nothing was seen but feasting and revelling; he made himself drunk first, and when heated with wine, there was no kind of rhodomontades, either in words or in actions, by which he did not endeavour to signalize himself.

The next morning it was not easy to awake him. He however rose still intoxicated with the fumes of wine; and his people being armed, they all set forwards with great cries and haughty menaces, and seized Mount Aventine. As to Caius, he refused to arm, and went out in his robe, as if to a common assembly, taking only with him a little dagger. When he was going, his wife Licinia stopped him, and threw herself on her knees at the threshold, lifting up

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one hand, and holding her son in the other. "She represented to him in a voice mingled with sobs, the certain danger to which he exposed himself, in going in that condition before the murderers of his brother Tiberius. She praised his generosity in not being willing to take arms against his fellow-citizens; but she exhorted him at least to provide for the safety of his life. And lastly, if he was insensible to his own death, which would leave the Commonwealth without a defender, she conjured him in the name of the gods to have compassion on an unfortunate wife and tender infant, who would lose their all in losing him, and were upon the point of being exposed to all the indignities that were to be expected from such furious and inhuman enemies as those who persecuted his family." Caius disengaged himself gently from between her arms, and walked on in profound silence, surrounded by his friends. His wife desiring to follow him, in order to hold him by his robe, fell upon the ground, where she continued without voice or sense, till his domesticks, seeing her in a swoon, took her up, and carried her to the house of her brother Crassus.

When the followers of Caius and Fulvius were assembled on the Aventine, Caius, that he might have nothing to reproach himself with, prevailed upon Fulvius to send his second son with a caduceus in his hand to the Forum. He was a youth of singular beauty, and the graces of his aspect were exalted by the humble and modest air with which he approached, and by the tears which he shed in making the proposals of accommodation, with which he was charged, to the Consul and Senate. The majority of the Senators were not averse to treating. But the Consul Opimius would hear nothing. "It is not," said he, "by heralds, those rebels are to explain themselves. Let them come in person to undergo their sentence as criminals, to ask grace in that condition, and disarm the wrath of the Senate offended by their revolt." At the same time, he ordered that young man

man to return, and expressly forbade him to come back, except he brought with him the submission of Caius and Fulvius to the Senate's orders. The young man having made his report, Caius would have obeyed, and appeared before the Senate, to vindicate himself. But all the rest having opposed it, Fulvius sent his son back again to make the same proposals a second time. Opimius, who only desired to terminate the affair by the method of arms, impatient to come to blows, caused young Fulvius to be seized, and having put him into the custody of persons he could confide in, he set forwards against the small army of Fulvius with a good body of infantry, and some Cretan archers, who discharging upon that troop, and wounding many, soon put the rest into disorder. The flight immediately became general. Fulvius retired into a publick bath that had been abandoned, where he was found soon after, and killed with his eldest son. In this skirmish and flight two hundred and fifty were slain on the side of Fulvius. History does not tell us whether there was any loss on the other side. We only know, that P. Lentulus, Prince of the Senate, received a considerable wound in it.

Cic. Pl il.
viii. 14.

As to Caius, he was neither seen to fight, nor to draw his sword. Highly afflicted with what passed, he retired into the temple of Diana. He there would have killed himself with his dagger; but he was prevented by Pomponius and Licinius, two of the most faithful of his friends, who took it from him, and prevailed upon him to fly. Caius, before he quitted the temple, fell on his knees, and lifting up his hands towards the goddess, implored her, that the Roman People, as a punishment for their black treachery and ingratitude, (for most of them had abandoned him on the first proclamation of an amnesty) might never shake off the vile slavery, into which they voluntarily precipitated themselves. Those who pursued Caius, overtook him near the wooden bridge. His two friends, who had not quitted him, made head at the

entrance

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entrance of it, to give him time to escape, and fought valiantly till they both fell dead on the spot. But what is entirely strange, all that multitude who were present, all those thousands who were under such great obligations to Caius, behaved now like simple spectators; encouraging and exhorting him to make off, as if the affair had been only a common race; whilst not one amongst them dared, I do not say take upon them to defend him, but to give him an horse, to enable him to fly with more speed. A strong example this of the infidelity and cowardice of the multitude; which ought to teach every man of sense, that popular favour is a very frail support, which gives way immediately under those who confide in it, when the danger becomes serious. Caius, in the mean time, had retired into a wood sacred to the Furies. His enemies were just at it, when Philocrates, one of his slaves, killed him, and then himself.

The Senate had not been ashamed to set a price upon the heads of Caius and Fulvius, and to promise, by proclamation, to whomsoever should bring them in, their weight in gold as a reward. One of Opimius's friends, called Septimuleius, having taken away the head of Caius from the soldier who had cut it off, carried it to the Consul at the end of a pike. He had even the baseness and barbarity to take out all the brains, and to fill up the scull with melted lead. It was found to weigh seventeen pounds eight ounces, (about fourteen pounds Troy) which were immediately paid him in gold. He was reproached with this action sometime after by a stroke of wit, which is not unworthy of being repeated here. He asked Scævola, appointed Proconsul in Asia, for an employment in his province. * "Why are you mad," replied Scævola. "There are so many bad citizens in Rome,

* Quid tibi vis, insane? Tanta malorum est multitudo civium, ut tibi ego hoc confirmem, si Romæ manseris, te paucis annis ad maximas pecunias esse venturum. Cic. de Or. ii. 269.

“ that I may venture to assure you, if you stay here, you cannot fail of making a great fortune in a short time.” Those who brought Fulvius’s head had nothing, because they were of the lowest of the rabble.

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The bodies of Caius and Fulvius, and of all those who had either been killed in this tumult, or executed in prison by the Consul’s order, to the number of three thousand, were thrown into the Tiber. All their estates were confiscated. Their wives were forbade to wear mourning. Licinia, the wife of Caius, was deprived of her dowry. Fulvius’s second son, he who had been stopped by the Consul’s order, when he came to propose conditions of an accommodation, a youth of only eighteen years old, and very innocent of all things laid to his father’s charge, who had neither fought, nor could fight, as he was a prisoner at the time of the skirmish, was however inhumanly put to death. All the favour shewn him was to chuse his death. But as he could not resolve on any, he was strangled in prison, notwithstanding his prayers and tears.

What most sensibly shocked and afflicted the People, was the insolence of Opimius in building a temple to Concord in memory of this event. For he seemed thereby to assume glory to himself from his cruelties, and to consider the murdering of so many citizens as matter of triumph. It is from hence, that somebody, under the inscription upon the front of the temple, cut the following verse in the night, the sense of which is : “ This temple of Concord is the work of fury and discord.” The allusion and elegance either of the Latin or Greek is not easily preserved in another language. *Vecordiae opus ædem facit Concordiæ.* Ἔργον ἀπονοίας οὐνονοίας ποιεῖ.

The People, who had so basely abandoned the Gracchi to the fury of their enemies, after their deaths rendered them barren honours, and too late regret. Statues were erected to them in publick : the places where they were killed were consecrated, and the first-fruits

A. R. 631. fruits of each season were carried to them. Many
 Ant. C. even offered sacrifices there every day, and said pray-
 121. ers on their knees, as in the temples of the gods.

The Great did not oppose these vain expressions of honour and respect, that had no tendency. But they applied themselves to abrogating the Agrarian laws, which really hurt them. They proceeded therein by degrees. They first caused the prohibition passed by Tiberius to be taken off by a Tribune; "that those to whom the lands of the publick had been distributed, should not sell them;" which gave the Rich an opportunity of buying them of the Poor, and even sometimes of seizing them by force. Another Tribune passed a decree, that all enquiries and distributions of the public lands should cease, and that they should continue in the hands of those who possessed them, paying a quit-rent to be distributed amongst the poorer citizens. This was at least a consolation and relief for the poor. But soon after a third Tribune discharged those lands from the quit-rent that had lately been laid upon them. Thus the great design of the Gracchi was reduced to nothing: and a project so fatal to its authors left no trace of any utility either to particulars, or to the Commonwealth.

It remains for me to say something of Cornelia and Opimius. The body of Caius, having been taken out of the Tiber, no doubt by some friend of the Gracchi, was carried to Misenum, whither Cornelia had retired after the death of Tiberius. She there passed the remainder of her life in a country-house, without any change in her manner of living. Her extraordinary merit always drew about her the best company either of the learned, or the principal persons of the Commonwealth. She charmed all that came to see her, when she related particularities of the life of her father Scipio Africanus, and his manner of living. But she filled them with admiration, when, without the least sign of grief, or shedding a single tear, she gave the history of all her children had done

or suffered, as if she had been speaking of persons entirely indifferent to her. It was even usual with her to say, speaking of the consecrated places where they were killed, that they were tombs worthy of the Gracchi. This constancy seemed so extraordinary to some, that they imagined her age and misfortunes had impaired her judgment and understanding. Weak people, says Plutarch, who did not know how much an excellent genius and a good education can exalt the soul above fortune, and enable it to triumph over sorrow.

As to Opimius, his Consulship was no sooner expired, than the Tribune P. Decius accused him before the People, for having put to death citizens without being tried or condemned according to the forms of law. Carbo, then Consul, the very person so intimately united with Caius, who had been Commissioner with him for the distribution of lands, who had carried his violence for that party to such an height, as to imbrue his hands in the blood of Scipio Africanus; this very Carbo was the defender of Opimius. What is still more surprizing, a criminal so deservedly odious to his judges escaped condemnation. Carbo was one of the most eloquent orators of his time. But however, all that he had to say, and could actually alledge in vindication of Opimius, amounted only to insisting, that he had done nothing but by order of the Senate; so that his cause was that of the Senate itself. This, one would think, was a reason for the People to condemn him: he was however acquitted. Perhaps the multitude had not yet recovered the terror which the recent examples of the dreadful revenge of the Senators had given them.

But if Opimius extricated himself out of this danger, it was only to sink under a more ignominious accusation some years after. Having been sent Commissioner to the court of Numidia, he suffered himself to be corrupted by Jugurtha, and at his return was formally condemned. He passed his old age in obscurity, equally despised and abhorred by the People.

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121.

* Cicero every where gives him great praises. This is not surprizing. Besides the general interest of the aristocratical party, Cicero had a personal one in the cause of Opimius. He had been banished himself for having caused the accomplices of Catilina to be put to death without observing the juridical forms. Opimius's case had too much resemblance to his own, not to interest him much. Besides which, the judges who condemned Opimius were the Roman Knights established in the judicature by Caius Gracchus: and their hatred for the murderer of Caius had a great share in the condemnation of that unfaithful and avaricious Commissioner. This is what authorizes Cicero to tax this sentence with injustice.

I cannot make an end of the history of the Gracchi, without looking back a little upon them; and running over their different qualities with a general view. The mild and insinuating eloquence of the one, the warm and animated of the other, both excellent in the highest degree, was the least part of their merit. They both gave glorious proofs of their valour and conduct during their service in war; and were capable, according to Plutarch, of becoming equal to the greatest Captains if they had lived longer. They were equally beloved and esteemed by the troops, and lived familiarly with them, without thereby lessening the respect due to their birth, and superior talents. The glory of their family served only to inspire them with noble sentiments and inclinations, and an ardent desire to support the lustre of it by their behaviour. They had all the qualities necessary in government; an air of authority tempered with mildness; an happy penetration; a great extent of views and designs; indefatigable application to affairs; a generous disinterestedness, in effect of which, they always kept their hands unsullied in the highest

* Hunc (Opimium) flagrantem invidiâ propter interitum C. Gracchi semper ipse populus Romanus periculo liberavit. Alia quâdam civem egregium iniqui judicii procella pervertit. Pro Sext. 140.

employments; and lastly, a great love of publick good, and an avowed abhorrence for all injustice.

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It must be also owned, and their greatest enemies have confessed it, * that amongst the many establishments they undertook, and laws which they passed, there were some of real utility to the Commonwealth. Some circumstances, which I could not conveniently insert in their history, will supply us with a proof of what I advance. For instance, every body must approve the erecting of publick granaries, by the means of which the city of Rome would always have a sufficient provision of corn, and never be exposed to the calamities of famine. The law passed by Caius for the security of the citizens persons against the violence of magistrates, and to subject those to the greatest penalties, who should cause them to be whipt, or put to death, was the asyllum of the weak: and we see, in the Acts of the Apostles, the use St. Paul made of it more than once, and the terror he gave those who had violated it. He was also the author of another very wise law, against such as by cabals and intrigues should cause an innocent person to be condemned. The Senate itself was obliged to him for a law, by which their body alone were authorized to determine the provinces of Generals and Magistrates, and which prohibited the opposition of the Tribunes to be admitted in respect to the provinces of Consuls. Plutarch tells us, that the same Caius frequently opened excellent counsels in the Senate; and cites an example of this kind. Fabius, Proprætor in Spain, having sent corn, which he had levied in his province, to Rome, Caius persuaded the Senate to sell it, and return the money to the cities of Spain that had supplied it, and at the same time to reprimand the Proprætor severely, for rendering the Roman government odious to the subjects of the Commonwealth.

Act. A-
post. xvi.
37, 38.
and xxii.
25, 26.
Cic. pro
Cluent.
141.
Id pro
Domo &
de Prov.
Conf. 3.
& 17.

* (Gracchorum) consiliis, sapientiâ, legibus, multas esse video Rei publicæ partes constitutas. Cic. in Rull. ii. 10.

A. R. 631.
Ant. C.
221.

What a pity it was that so many noble qualities and great actions should be dishonoured by a single vice ! Ambition rendered the Gracchi, not useless, but fatal to their country. “ An * inordinate thirst of glory, and an unbounded desire of raising themselves, and lording it over others, is,” says Cicero, “ the great danger of those, who pique themselves upon elevation of sentiments and greatness of mind, and this often makes them commit great injustice.” To what excesses did not the Gracchi run on ? Tho’ equity had been the motive of Tiberius in his scheme of the Agrarian law, how shall we excuse his, and his brother’s inveteracy for depressing the Senate, which was the soul of the Commonwealth, and depriving that august body of its most valuable and legitimate rights ? Should not the murder of Scipio Africanus, which was the effect of these divisions, and of which Caius cannot be supposed innocent, inspire horror for those who perpetrated so black a crime ? Accordingly, all the wisest and most judicious persons have been lavish in stigmatizing the Gracchi with the terms of factious, seditious, and wicked citizens : and their deaths have been considered as punishments justly deserved. Let us conclude, that there can remain no doubt, either in respect to the merits of the two brothers, or the ill use they made of it.

However, I do not entirely approve the conduct of their adversaries. The Senate, on this occasion, degenerates in a strange manner from the mildness and wise condescension, that in former times had reflected so much honour upon it in civil dissensions. In this light we discern a sanguinary violence and detestable cruelty in them, to which the Gracchi, and especially Caius, oppose only a moderation, that cannot be sufficiently commended. These two brothers, who were so brave against the enemy, have no courage

* Illud odiosum est, quod in hac elatione & magnitudine animi facillime pertinacia, & nimia cupiditas principatus innascitur.—Facillime autem ad res injustas impellitur, ut quisque est altissimo animo, & gloriæ cupido : qui locus est sanè lubricus. Cic. de Offic. I. 64, 65.

to shed the blood of their fellow-citizens. The Gracchi defend a bad cause in a manner the Senate ought to have employed in the defence of a good one.

A. R. 631.
Ant. C.
121.

S E C T. II.

Wines of the Consulship of Opimius. Africa ruined by grasshoppers, and afterwards infested with a plague, occasioned by their dead bodies. Sempronius triumphs over the Japodes, and Metellus over the Dalmatians. War against the Balearians, and some States of Gallia Transalpina. Fulvius triumphs first over the Transalpine Gauls. Sextius subjects the Salluvians, and builds the city of Aix. The Allobroges and Arverni draw the Roman arms against them. Opulence of the latter people. Embassy from the King of the Arverni to Domitius. The Allobroges and Arverni are defeated by Domitius. Great victory gained by Fabius over the same people. Perfidy of Domitius in respect to Bituitus. Roman province in the Gauls. Trophies erected by the victors. Their triumphs. War against the Scordisci. Lepidus noted by the Censors for living in an house of too great a rent. Thirty-two Senators degraded by the Censors; among the rest Cassius Sabaco, Marius's friend. Beginnings of Scaurus. Character of his eloquence. His probity suspected in matters of gain. He had wrote his life. His Consulship. He is elected Prince of the Senate. Good fortune of Metellus Macedonicus. Surprising accumulation of dignities in the house of the Metelli. Three Vestals suffer themselves to be corrupted. They are condemned. The orator Marcus Antonius involved in this affair, and acquitted. Temple erected to Venus VERTICORDIA. Human victims. Carbo accused by L. Crassus. Generosity of Crassus. His timidity. Single occasion on which Crassus opposes the Senate. C. Cato condemned for extortions. Scrupulous exactness of Piso in respect to a gold ring.

DETACHED FACTS.

THE * desire of relating all that concerns the Gracchi together, has obliged me to omit many facts, to which it is now time to return. To these I shall add the events of the years elapsed between the death of C. Gracchus and the war with Jugurtha; which were nine. The whole affords only very dry and barren matter. The monuments come down to us of the facts I am going to relate, we have either from writers of so little value, that their works deserve rather the name of Gazettes than of Histories, or from some detached fragments of more estimable authors. Freinshemius, in his supplement to Livy, has collected all these dispersed fragments, to form the matter and series of the history. In this he has done literature great service, and has supplied me with a very useful aid.

Before I begin to relate the wars, made by the Romans during the space of time I propose to run over, I am going to insert here two singular circumstances, entirely distinct from any thing else, and which may be considered as facts of natural history.

The first is, that the year Opimius was Consul, was singular for wines, all species of which came in it to the highest degree of ripeness and good perfection. Every body knows, that the Romans kept their wines during many years: but those of Opimius's Consulship subsisted ages. Some of it was in being in Pliny's time, almost two hundred years after it was made: but it was of the consistence of honey, and so bitter, that it was impossible to drink it, without mixing it with a great quantity of water. In consequence little of it was drank. It was only used to give a flavour to other wines, with which it was mixed in very small portions. It is easy to judge that the price of it was become excessive. F. Har-

* All this part of the history to the war with Jugurtha, is the Editor's. Mr. Rollin had omitted the facts contained in it, no doubt with design to recur to them.

douin deduces from the text of Pliny, (which to me seems very obscure) that an hundred and sixty years after the Consulship of Opimius, this wine was sold for about four pounds-ten shillings an ounce.

The other event is some years prior to this, and of a quite different kind. In the Consulship of M. Fulvius Flaccus, the 627th year of Rome, a dreadful multitude of grasshoppers overspread all Africa, that is, what we now call the coasts of Barbary, and did not only eat up the corn in the blade, herbage, and leaves of trees, but even the bark and wood. And this was but the least part of the evil which the country sustained from them. A great wind carried them all into the sea, where they were drowned. But the waves driving their dead bodies upon the coasts, immense heaps of them accumulated, which infected the air to such a degree, that a pestilence ensued Orof. v. 11. amongst men and beasts. I do not know, whether Orosius is to be believed on this head. But that writer assures us, eight hundred thousand men perished in the kingdom of Micipsa, or Numidia, and two hundred thousand in the province of Carthage. He adds, that an army of thirty thousand men, which the Romans kept in Utica for the defence of the province, were destroyed by the contagion, so that not a single man survived: and that on one day fifteen hundred dead bodies were carried out through one of the Liv. Epit. lx. Jul. Obf. gates of that city. I fear there is some exaggeration in this account. But that there was a pestilence occasioned by the dead bodies of grasshoppers is certain, and suffices to shew, that when it is the will of God to punish mankind, the least and vilest insects may become dreadful scourges. Livy, in some parts of his history, mentions great havock caused by clouds of grasshoppers; and he even tells us, that in the year 579, a Prætor was sent into Apulia to assemble the country people, to make war upon this new kind of enemies. But the example, which I have related here, is the most extraordinary we find in the history of any times.

W A R S.

Amongst the wars of which I am now to speak, those against the Japodes and Dalmatians were little considerable.

Appian.
Illyr.

The Japodes were a nation mixed with Illyrians and Gauls, who inhabited almost the same, now called Croatia, between the Sava and the Adriatick Sea. These people having offended the Romans by incursions and ravages made upon the lands of the Commonwealth bordering upon them, were attacked and conquered in one campaign by the Consul C. Sempromius Tuditanus, the 623d year of Rome. The victor was granted the honour of a triumph.

That honour cost L. Cæcilius Metellus still less to acquire, if it be true, as Appian tells us, that the exploits of this Metellus were only having marched an army into the country of the Dalmatians, against whom he had caused war to be declared without any just cause, and having passed the winter without acting at * Salona, into which he had been received as a friend. The LXII. epitome of Livy says, nevertheless, that he subjected the Dalmatians. However that were, L. Cæcilius Metellus, having been Consul in 633, triumphed over the Dalmatians in 634, and assumed the surname of Dalmaticus.

Q. Metellus, his near relation, had some years before set him the example of seeking easy conquests, by which a name might be acquired without much danger, or much regard to justice. He had attacked the Baleares, a people hitherto almost savages, and who had never appeared in wars, but as auxiliaries to the Carthaginians.

Diod. Sic.
l. v. &
Strab. l.
iii.

The Baleares inhabited the two islands we now call Majorca and Minorca. As they lived almost with all

* A city now in ruins, which are shewn at four miles from Spolatro.

the simplicity of gross nature, they had undoubtedly no ambition to make war with the Romans. Caves under the rocks, or holes in the earth, which they dug themselves, served them for habitations. They were almost naked, except that during the coldness of winter they covered themselves with sheepskins. They found in their country, of which the soil is fertile, the necessaries of life; except only wine, of which they were very greedy. Accordingly, such of them, as had served in the Carthaginian armies, did not fail at their return to lay out all the money they had left in wine. For they were not allowed to bring that money into their country; the use of it being prohibited in both islands. They said, as Diodorus tells us, that Geryon's riches had of old been fatal to him, in drawing Hercules upon him as an enemy: and that, taught by that example, they had from the most remote antiquity always apprehended introducing a metal amongst them, capable of exciting the avidity of other nations, and thereby dangerous to their repose.

They are particularly famous for their dexterity in the use of the sling: and they took a certain method for attaining it. They were exercised in it from their infancy: and mothers did not put bread into their children's hands, but made them beat it down with their slings. They united force with this address, and the best tempered arms were scarce proof against the stones they discharged. When they went to battle, they carried three slings with them of unequal length, according to the different distances, at which they might have occasion to use them against the enemy.

This people were pacific, as we have said. However, some individuals having leagued themselves with the pirates that infested the seas, nothing more was wanting to give Metellus a pretext, who was Consul the 629th year of Rome, for carrying the war into their country. They were desirous to oppose the descent of the Roman army. But the Consul

ful rendered their slings uselefs, by placing skins upon the fides of his decks, which deadened the blows. As foon as the Roman troops landed, they fled, and difperfed on all fides in the country, fo that it was more difficult to find, than defeat, them.

To fecure his conqueft, Metellus planted two colonies, Palma and Pollentia, the one at the eaft, and the other at the weft. He triumphed in 631, and afſumed the ſurname of Balearicus. The family of the Metelli ſeem to have been very fond of theſe pompous ſurnames. The father of him I am now ſpeaking of, had aſſumed that of Macedonicus, though what he had done in Macedonia was incomparably ſhort of the conqueſt of that kingdom by P. Æmilius, who however took no new ſurname on that account. We ſee here the ſon and nephew of Macedonicus, who adorn themſelves with the titles of Balearicus and Dalmaticus. We ſhall ſoon ſee in the ſame family thoſe of Numidicus, Creticus, &c. We ſee from the truth of Livy's obſervation, that the example of the firſt Scipio Africanus made way for the vanity of thoſe who came after, to adorn itſelf with the like titles, without having deſerved them like him.

The war againſt ſome ſtates of Tranſalpine Gaul was more conſiderable than thoſe of which I have ſpoke hitherto, and incurred by juſter cauſes.

The Romans had not yet made any conqueſt in Gaul beyond the Alps. They had before paſſed thoſe mountains in the 598th year of Rome. But this expedition, which we have related in its place, had no other conſequence than to ſecure the tranquility of the people of Maſſylia, [Marſeilles] at whoſe requeſt it had been undertaken, againſt the incurſions and insults of their neighbours.

It was again at the requeſt of the ſame Maſſilians that the Romans, at the time of which we are ſpeaking, paſſed the Alps. But they did not content themſelves with having aided their allies. They eſtabliſhed a laſting ſettlement in the Gauls,
and

and began to form a province, or conquered country, there.

M. PLAUTIUS HYPSEUS.

A. R. 627.

M. FULVIUS FLACCUS.

Ant. C.

125.

The * Salluvians, a people of † Gaul, in whose territory Massilia had been built, had always considered the augmentation of that foreign colony with a jealous eye. The Massilians, harrassed and fatigued by them, had recourse this year to the protection of the Romans. Rome had then Fulvius for Consul, the friend of Caius, a turbulent and seditious man, whose unfortunate end we have related. The Senate was very glad to remove a factious Consul; and Fulvius no less to have an occasion of acquiring a triumph. To his great satisfaction therefore, as well as that of the Senate, he was charged with the war against the Salluvians.

C. CASSIUS LONGINUS.

A. R. 628.

C. SEXTIUS CALVINUS.

Ant. C.

124.

The exploits of Fulvius in Gaul were not very considerable. He however obtained the honour of a triumph either through the favour of the People, or because the Senate itself believed a triumph over the Transalpine Gauls an happy presage. C. Sextius, Consul of this year, was sent to relieve him. But he did not set out till towards the end of his Consulship, or the beginning of next year in quality of Proconsul.

Q. CÆCILIUS METELLUS.

A. R. 629.

T. QUINTIUS FLAMININUS.

Ant. C.

123.

Sextius finding the war rather just began, than much advanced, by Fulvius, carried it on with vi-

* This people is called Salyi, Salvii, and Salluvii.

† Some authors make this people Ligurians by origin; but they were settled in Gaul.

A. R. 629.
Ant. C.
123.

Diod. ap.
Vales.
P. 377.

gour. He gained several small advantages over them, and at length a considerable victory near the place where the city of Aix now stands. This General, by a wise moderation, highly necessary in new conquests, had the address to unite lenity with force and the terror of arms. Diodorus relates, that at the time he had ordered the inhabitants of a city of the enemy to be sold, which he had taken, one Crato, who was in chains, amongst the rest, came to him, and told him, he had always been a friend of the Romans, and on account of his attachment to their interests had suffered much ill treatment from his countrymen. Sextius, on being assured of the truth of the fact, not only gave Crato and all his family liberty, but suffered him to deliver nine hundred prisoners at his choice from slavery.

The Proconsul took up his winter-quarters in the place where he had fought the battle; and as the country was good, and abounded with springs, of which some were hot, he built a city there, which from those waters, and the name of its founder, was called Aquæ Sextiæ. This is now the city of Aix, the capital of Provence.

He also cleared all the coast from Marseilles to Italy, by driving away the Barbarians to a thousand or fifteen hundred paces from the sea: and he gave the whole extent of those coasts to the Massilians. The following year he returned to Rome, and triumphed, having been succeeded by Cn. Domitius, of whom we shall now speak.

A. R. 630.
Ant. C.
122.

C. FANNIUS.

Cn. DOMITIUS AHENOBARUS.

The Salluvii were subjected, but the war was not over; their misfortune, and no doubt the apprehension of the like fate, engaging other powerful neighbouring states in their cause; and Domitius on arriving in Gaul, found more enemies than Sextius had overcome. Teutomalius, the King of the Salluvii,

Juvii, had retired into the country of the Allobroges, who openly took upon them his defence: and Bituitus, King of the Arverni, who had given refuge in his dominions to many of the principal persons of the conquered nation, sent even Ambassadors to Domitius to demand their re-establishment.

Those two states united formed a very considerable power. The Allobroges inhabited the whole country between the Rhone and the Isara, as far as the lake of Geneva: and the Arverni not only possessed Auvergne, but, if we believe Strabo, almost the whole southern part of Gaul from the Rhone to the Pyrenees, and even to the ocean. The opulence of the last was in proportion to the extent of their territory; and it is said of Luerius their King, the father of Bituitus, who then reigned, that to shew his riches, and gain the favour of the multitude, he crossed a large plain in a chariot, throwing on all sides pieces of gold and silver, which thousands of Gauls gathered, as they followed him. It is added, that being desirous to give a feast, he formed an inclosure of fifteen hundred paces square, in which he caused tuns to be placed full of costly liquor, and so prodigious a quantity of provisions of all kinds, that during several days, as many as pleased were entertained at table, without the least interruption of the feast.

We have said before, that Bituitus sent an embassy to Domitius. It was magnificent, but of a singular kind, that amazed the Romans. The Ambassador superbly dressed, and attended by a numerous train, had also a great pack of dogs with him, and one of those Gaulish poets, called Bards, whose employment was in his verses and songs to celebrate the glory of the King, the Nation, and the Ambassador. This embassy was ineffectual, and probably served only to inflame the division on both sides.

A new subject of war was supplied by the Ædui, who inhabited the country between the Saone and the Loire, and whose principal cities were those now called Autun, Chaalons, Mâcon, and Nevers. These people

A. R. 630.
Ant. C.
122.

Strab. l. ii.
P. 291.

Posidon.
apud
Athen. l.
v. c. 13.

App. ap.
Fulv. Ur-
sin.

A. R. 630.
Ant. C.
122.

people were the first of Transalpine Gaul, that sought the alliance of the Romans. They deemed it a great honour to be termed their Brothers; a title which was often given them in the decrees of the Senate. The Arverni and they had been very warm rivals in all times, concerning the first rank and principal power in Gaul. At the time of which we are speaking, the Ædui, attacked on one side by the Allobroges, and on the other by the Arverni, had recourse to Domitius, who heard them favourably. Accordingly every thing was prepared for the war.

A. R. 631.
Ant. C.
121.

L. OPIMIUS.

Q. FABIVS MAXIMVS.

The Allobroges and Arverni spared the Roman General the pains of marching in quest of them: they advanced against him, and incamped at the confluence of the Sorgue and the Rhone, a little above Avignon. The battle was fought there: The Romans were victorious: but they were principally indebted for their success to their elephants, whose strange and unusual form terrified both the horses and their riders. The smell of the elephants, insupportable to horses, contributed undoubtedly to this disorder. Orosius tells us, that twenty thousand remained on the spot; and three thousand were taken prisoners.

So great a defeat did not discourage the two allied people. They made new efforts: and when the Consul Q. Fabius arrived in Gaul, the Allobroges and Arverni sustained by the Rutheni (people of Rouergue) marched against him with an army of two hundred thousand men. The Consul had only thirty thousand: and Bituitus despised the small number of the Romans so much, that he said they were not a match for the dogs in his army. The event shews on this occasion, as well as many others, how much advantage good order and discipline have over multitude.

The

The armies met near the confluence of the Isara and the Rhone. The accounts come down to us, teach us little in respect to the circumstances of this great action. The Gauls did not sustain the first charge of the Romans, if it be true, as we find it in historical monuments, that they lost at least an hundred and twenty thousand men in it, and that only fifteen were killed on the side of the Romans. The Consul discharged the functions of General with amazing good conduct in this battle, though he was actually sick of an ague, or, according to others, still weak from a wound he had received some time before. He caused himself to be carried in a chair from rank to rank; or, when it was necessary to be set down, supported under the arms, he gave his orders, and animated his soldiers to do their duty. It is to be presumed, that he attacked the enemy either whilst they were passing the Rhone, or immediately after, without giving them time to draw up and form their line. A vigorous charge presently put this army into confusion, which its multitude, far from being an advantage, served but to augment. But the flight was exceedingly difficult. The Rhone was to be passed over two bridges, one of which had been built in haste with boats, and with little solidity. It broke under the weight of the multitude that fled, and thereby occasioned the loss of an infinite number of Gauls, who were drowned in that river, which every body knows is excessively rapid. Some undoubtedly were pressed hard, and pushed into the river. Many more perished in the water than by the swords of the victors. This great victory was gained by the Romans on the 10th of August: and the Consul, according to Pliny, even gained in it the recovery of his health, and was rid of his fever from the day of battle.

The Gauls crushed by so great a blow, resolved to ask peace. Nothing remained, but to know to which of the two Roman Generals to apply: for Domitius was still in the province. Reason was for preferring Fabius,

A. R. 630.
Ant. C.
122.

Plin. vii.

50.

Val. Max.
ix. 6.

A. R. 631.
Ant. C.
121.

Fabius, who was Consul, and whose victory was far more glorious than that of Domitius. They did so: but Domitius, a proud and haughty man, revenged himself for it upon Bituitus, by a black treachery. He engaged that Prince to come to his camp under the pretext of an interview; and when he had him in his power, he caused him to be laden with chains, and sent him to Rome. The Senate could not approve so criminal an act; but would not lose the advantage of an useful perfidy: so much did what politicians call Reasons of State, prevail at that time in the Roman Senate over the rules of honour and justice. Bituitus was kept prisoner. It was also decreed, that his son Cogentatius should be taken, and brought to Rome. A kind of half-justice was however done that young Prince. After great care had been taken in his education, he was sent back to the kingdom of his forefathers, where he faithfully cultivated the amity he had sworn to the Romans.

Diod. ap
Vales.
P. 386.

Cæs. de
Bell. Gall.
1.

It appears, that the conquered states were differently treated by the Romans. The Allobroges were made subjects of the Commonwealth. As to the Arverni and Rutheni, Cæsar tells us, that the Roman People pardoned them, did not reduce them into a province, and imposed no tribute upon them. Hence it is probable, that the Roman province in the Gauls at first included only the countries of the Salluvii and Allobroges. The following years do not afford any more considerable events; though it is not unlikely, but that the Consuls of those years were sent into Gaul, and perhaps extended the Roman province along the sea as far as the Pyrenees. It is however certain, that three years after the victories we have just related, the Consul Q. Marcius founded the colony of Narbonne, to which he gave his name, Narbo Marcius. We cannot better express the design of this settlement than in Cicero's terms, who calls Narbonne *

* Narbo Marcius colonia nostrorum civium, specula populi Romani, ac propugnaculum istis ipsis nationibus oppositum & objectum. Pro Font. n. 3.

the watch-tower of the Roman People, and their bulwark against the Gaulish nations?

I return to Domitius and Fabius, who continued in Gaul part of the year 632. They both erected trophies; adorned with the spoils of the enemy, on the fields of battle, where they had defeated them. This was a novelty to the Romans, who, as an historian * observes, never insulted the states they subjected with such monuments. Pompey also erected a trophy on the Pyrenees, after having quieted Spain, and was blamed for it. It has been farther remarked, as an instance of pride and arrogance in Domitius, that he made the tour of the province riding upon an elephant. This kind of circumstances, which denote characters, ought not to be omitted in an history intended to promote the knowledge of men.

A. R. 632.
Ant. C.
120.

On their return to Rome, both Fabius and Domitius obtained triumphs. That of Fabius was both the first and the most splendid. Bituitus was the principal ornament of it. He appeared in it sitting in the same silver chariot he had used on the day of battle, and with his arms painted with different colours. In consequence of his victory, Fabius assumed the name of Allobrogicus, and thereby augmented the glory of the house of Fabia, of which he had been the disgrace by his ill conduct in his youth. An uncommon example! but which proves however, that, though the early part of life past in debauchery gives reason to apprehend the same for all the rest of it, it does not however determine that absolutely as a necessary consequence. Fabius Allobrogicus was the son of Q. Fabius, Scipio's eldest brother. and consequently the grandson of Paulus Æmilius.

It remains for me to speak of the war against the Scordisci, a † Gaulish nation by origin, but trans-

Justin.
xxxii. 3.

* Nunquam populus Romanus hostibus domitis victoriam suam exhibavit. FLOR. iii. 2.

† I follow Justin; but do not pretend to warrant the truth of what he advances.

A.R. 632.
Ant. C.
120.

planted to the banks of the Danube. Their forefathers in antient times had accompanied Brennus in plundering the temple of Delphi. After the horrid disaster which ruined that army, as has been related elsewhere, the remains of it dispersed into different countries. Part of it settled about the confluence of the Danube and the Save, that is to say, in the country where Belgrade now stands, and took the name of Scordisci. Their natural ferocity, increased by the rigour of the climate they inhabited, and by their commerce with the barbarous nations around them, carried them on to acts of cruelty, which the Roman historians cannot mention without horror. They tell us, that they sacrificed human victims to Bellona and Mars, drank out of the skulls of their enemies, (this was customary with the Gauls) destroyed their prisoners with fire, or stifled them with smoke; and lastly, which can hardly be told without trembling, ripped up women with child, and destroyed at once both mothers and the fruit of their wombs.

Flor. iii. 4.

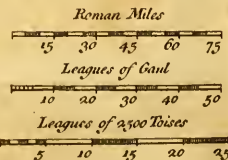
The occasion of the war between the Romans and these Barbarians is not known: but C. Cato, the first Consul who commanded against the Scordisci, was entirely defeated the 638th year of Rome. He suffered himself to be drawn on by the enemy, who united stratagem with force, into forests and mountains, where the Roman army was entirely destroyed. The victors spread like a torrent into the provinces of the Commonwealth, as far as Dalmatia and the Adriatic sea. That barrier stopped them: but in rage and revenge, if we may believe Florus, they discharged their darts against the waves, that opposed an invincible obstacle to their progress.

The Roman Generals who succeeded Cato were more fortunate: and history mentions three, T. Didius, M. Livius Drusus, and M. Minucius, who gained several victories over the Scordisci, after which little is said of this nation.

MAP OF THE ROMAN PROVINCE IN GAUL,
For M^r ROLLIN's Roman History, continued by M^r CREVIER.
By M^r D'ANVILLE Geographer to the K. of France, 1743.



MARE GRÆCUM



AFFAIRS of the CITY, and other DETACHED FACTS.

Two Censorships first give us some great examples A. R. 627.
of severity.

The Censors Cn. Servilius Cæpio, and L. Cassius Longinus, cited M. Æmilius Lepidus before their tribunal, as guilty of luxury and profusion, for paying six thousand sesterces a year (about 35l. sterling) for the house he lived in. Velleius Paterculus, who relates the fact, adds this reflexion : “ In * these days, if any of us were to pay so little for an habitation, he would scarce be owned as a Senator. So sudden is the fall from good to bad, from bad to depravity, and from depravity to the greatest excesses.” The same Lepidus had also at the same time, or not long before, another affair as singular upon his hands. He Val. Max. viii. 1. was accused before the People, and fined, for having built a country-house too high at some distance from Rome.

All remedies were too weak against the corruption A. R. 637.
of manners, which continually gained ground : and ten years after the time of which I have just spoke, Metellus Dalmaticus and Domitius Ahenobarbus being Censors, degraded thirty-two Senators : to find so many persons worthy of being noted in that illustrious body, was a thing without example. Amongst these degraded Senators was one of Consular dignity, C. Licinius Geta, who was Censor himself sometime after ; whether he had retrieved his reputation by a change of conduct, or perhaps the very vices that had drawn that disgrace upon him, served to recommend him to a great number of citizens, who might

* At nunc si quis tanti habitat, vix ut Senator agnoscitur. Adeo maturè à rectis in vitia, à vitiis in prava, à pravis in præcipitia pervenitur. VELL. ii. 10.

have good reason to desire to have a Censor personally interested in not carrying severity too far.

Another note of infamy, inflicted by the same Censors, Metellus and Domitius, fell by reflexion upon Marius, then Prætor, but still far from the greatness and glory to which he afterwards attained. It was pretended, that to raise himself to the Prætorship, he had used false suffrages : and what authorized this suspicion was, that a slave of Cassius Sabaco, the intimate friend of Marius, had been seen amongst those who voted. The Prætor elect was accused in form, and his judges interrogated Cassius, who replied, that being very dry, he had made his slave bring him a glass of water, who immediately withdrew. The affair went no farther before the judges : but the Censors thought that Cassius deserved to be noted, either for his intemperance, if he had spoke the truth, or for perjury, if otherwise ; and degraded him from the rank of a Senator.

The same year M. Scaurus was Consul, an illustrious person, whom we shall have occasion to mention frequently in the sequel. For that reason I take the present occasion to introduce him. He was a Patrician, of the house Æmilia, but of a branch fallen into such extreme poverty, that his father had been reduced to maintain himself by dealing in charcoal. He himself was sometimes in suspense whether he should not take up the profession of a banker. But being conscious of merit, he threw himself in the way of honours, and resolved to labour with courage to overcome ill fortune, and to renew the almost extinct glory of his name. He applied himself to the study of eloquence, and pleaded very much. The character of his eloquence suited that of his manners : it was grave, austere, and void of ornaments. We have the following picture of it from the hands of Cicero. “ The * eloquence of Scaurus, a wise and upright

* In Scauri oratione, sapientis hominis & recti, gravitas summa, & naturalis quædam inerat auctoritas : non ut causam, sed ut testimo-

man, had in it a singular gravity, and kind of natural authority; so that in pleading for a client, he seemed rather a witness than an advocate. This manner of speaking was thought not so proper for the bar and before the people: but for giving opinions in the Senate, of which he was long the chief and leading man, it was admirable. For it not only implied prudence, but what is more important, it carried with it an air of truth, highly adapted to engaging confidence." It appears, that he very early acquired the great authority in the Senate, of which Cicero speaks; as many years before he was Consul, it is said, that the decree which armed Opimius against C. Gracchus, was passed by his advice.

Auct. de
vir. illustr.

As to probity, it is certain he had the outside of it in a supreme degree. Cicero praises him every where as a man truly virtuous: but we must own that other authors, as Sallust and Pliny, are not quite so favourable to him upon this head, and accuse him of not being over nice in the means of enriching himself. His reputation was not clear, especially in respect to the gold of Jugurtha. We shall speak of it in the sequel. It may also be looked upon as another blot in his life, to have been accused of caballing by P. Rutilius, the most worthy man of Rome in his times; if the personal interest of Rutilius in that prosecution had not diminished the weight and authority of his accusation. They demanded the Consulship at the same time, and the preference having been given to Scaurus, it may be believed that animosity and revenge magnified things in the eyes of Rutilius. What is uncommon in this, was, that Scaurus having been acquitted, accused Rutilius in his turn of the same crime. But what may be thought more for the ho-

nium dicere putares, quum pro reo diceret. Hoc dicendi genus ad patrocina mediocriter aptum videbatur: ad Senatoriam vero sententiam, cujus erat ille princeps, vel maximè. Significabat enim, non prudentiam solum, sed, quod maximè rem continebat, fidem. Cic. Bruto, 111, 112.

nour of both, and perhaps most true, is, that both were wrong in their accusations.

For the rest Scaurus, full of a noble confidence in himself, and as well as Cato major, between whom and him there is a great similitude of character, * not being in the least inclined to abate any thing of the praise he might deserve, wrote his own life in three books: and † Tacitus observes, that neither he, nor Rutilius, who did the same, were either censured, or disbelieved.

Scaurus did not neglect the art military, and made some campaigns in his youth. When he was Ædile, he applied himself entirely to the functions of his charge, that regarded the government of the city; and in the games which he was to give the People, he did not pique himself upon a trivial magnificence, which was equally incompatible with the smallness of his fortune and his natural disposition. His Prætorship is entirely unknown; and as to his Consulship, we have some detached circumstances, which I am going to relate.

He sustained the rights of his dignity with haughtiness: and P. Decius, who was Prætor, having continued sitting as he passed by, Scaurus commanded him to rise, ordered his robe Prætexta to be torn, and his curule chair to be broken in pieces, and prohibited all persons whatsoever to appear before his tribunal.

He had Gaul for his province, and gained some advantages over people little known, which however acquired him the honour of a triumph. But the exact discipline which he caused to be observed in his army is much more estimable: it was so strict, that, as he tells us himself, a fruit-tree, which happened to be within his camp, was so secure from the soldiers, that the next day, when the army decamped, it had

Frontin.
Strat.iii 4.

* Haud sanè detractor laudum suarum. Liv. xxxiv. 15.

† Plerique suam ipsi vitam narrare fiduciam potius morum, quam arrogantiam arbitrati sunt; neque id Rutilio & Scauro citra fidem, aut obtréctationi fuit. Tacit. Agric. n. 1.

not lost one of the fruit, with which it was laden the night before.

As the war did not engross him during the whole campaign, he employed the leisure of his troops in useful works, and caused the marshes to be drained, which the inundations of the Po had formed in the countries of Placentia and Parma. For this purpose he caused vents to be opened, and canals of sufficient depth cut to carry off the water from the lands overflowed before.

Scaurus, during his Consulship, was elected Prince of the Senate by the Censors Metellus and Domitius, in the room of Q. Metellus Macedonicus, who died sometime before.

Many writers, in emulation of each other, have celebrated the good fortune of this Metellus Macedonicus. If we were to trace back the histories of all nations, ages, and conditions of the world, says Vel-
leius Paternulus, we should scarce find a single person to be compared for good fortune with Metellus. If we consider him as a publick person, we see him adorned with triumph, and the most exalted dignities; we see him enjoy, during a long life, the first rank amongst his countrymen, and maintain warm contests in respect to the public affairs, without the least blemish of his reputation. As a private person, never was father of a family more happy. He had four sons, all of whom he saw arrive at the age of maturity, and at his death had the consolation to leave all of them alive, and in the highest dignities. His bier was carried by his four sons, of whom one had been Consul, and was actually Censor; the second had also been Consul; the third was then Consul; and the fourth had been Prætor, and was raised to the Consulship two years after. Add to these his sons-in-law (for he had three daughters, all honourably married, and had borne him grandsons) two of these were Consuls afterwards. "Is this dying," cries the historian, "or quitting this life with happiness?" A thought of little solidity, a frivolous distinction

with men, who having no certainty of another life, could see nothing in death, but the annihilation of all felicity. It is to those, who have eternal glory in view, that death is really an happy removal from life, according to the force of the word *migrare*, used by Paterculus. *Hoc est nimirum magis feliciter de vita migrare, quam mori.*

Plin. vii.
44.

This good fortune itself, which Metellus enjoyed during his life, was not so compleat as Velleius presents it: and Pliny, who sometimes carries his misanthropy too far, is not wrong, when he observes upon the subject in question, that two things made a considerable breach in this supposed felicity. The one is the unworthy and cruel adventure by which he was very near perishing through the fury of the Tribune Atinius: the other, his having been the enemy of the great Scipio Africanus. And might we not add, the extreme mortification he experienced, when Q. Pompeius, his enemy, was elected to succeed him, and the narrowness of spirit and injustice of the resentment he expressed upon that occasion? This last fact proves both that his happiness was neither without cloud, nor his virtue without stain.

It may however be said, that the good fortune of Metellus Macedonicus was indeed exceedingly singular: and that good fortune seems to have extended itself to his whole family. For in the space of twelve years we find more than twelve Consulships, Censorships, or Triumphs of the Metelli: and in the year 630, two Metelli, brothers and both sons of Macedonicus, triumphed on one day, the one over Macedonia, and the other over Sardinia. This amazing number of Consulships in one and the same house, occasioned the poet Nævius to say: *Fato Metelli Romæ sunt Consules*: “It is fate, it is destiny, that makes the Metelli Consuls at Rome:” Words that offended the family, as if extolling their good fortune, were depreciating their merit.

A. R. 638. - The 638th year of Rome gives us an example of corruption amongst the vestals; never heard of before.

In the preceding times it had very seldom happened that a vestal had been found faulty : and the day of their punishment was a day of universal mourning at Rome. But this year, of the six, which they were in all, three were proved criminal, two of which had even almost publickly abandoned themselves to dissolute practices. This unhappy event was believed to have been foretold by the misfortune of a young maid, who, being on horseback with her father, was killed by thunder, and her body thrown one way, and the horse another. The Augurs having been consulted upon this accident, replied, as is said, that this pretended prodigy threatened the vestals, and the order of the Knights, with great infamy. Perhaps those Augurs had some suspicion of what became publick soon after. But let the prediction be as it will, the fact is as follows.

One L. Butætius Barrus, a Roman Knight, a professed debauchee, weary of too easy conquests, was desirous to exalt the gust of his infamous pleasures by the charm of difficulty and danger. He therefore attacked a vestal, called Æmilia : and when he had succeeded in seducing her, the contagion soon spread, and two other vestals, Licinia and Marcia, followed their companion's example. There was however this difference, that Marcia entered into an intrigue only with one ; whereas Æmilia and Licinia admitted a multitude of gallants ; because when they had once began to extend their criminal amours, and saw that their secret took air, they engaged all those to silence, whom they apprehended as witnesses, by making them accomplices.

All this infamous mystery, after having been long concealed, was at length brought to light by a slave, whose master was one of the guilty. This slave was one of the confidants, and liberty, with many other rewards, had been promised him. As he saw they did not keep their word, he went and discovered the whole. The college of Pontiffs, which by the constitution of Numa were judges of this affair, acted
with

with great indulgence. Only Æmilia was condemned; a favourable sentence was passed upon Marcia and Licinia, for which they were probably indebted, the one to her being less criminal, the other to the eloquence of the famous L. Crassus, her relation, who being then twenty-seven years of age, defended her in an oration, of which Cicero speaks with praise.

But the affair did not rest there. The whole People cried out against this lenity of the Pontiffs on an occasion wherein the crime was equally evident and odious; and the Tribune Sex. Peduceus having put himself at the head of those who complained of the sentence, caused an extraordinary commission to be voted by the People, for re-hearing the cause of Marcia and Licinia, and at the head of that commission placed L. Cassius, who for that purpose was created Prætor a second time, after having been Consul and Censor. He was a person of rigid virtue and inflexible severity; and one, as * Cicero observes, who had rendered himself agreeable to the people, not by politeness and popular behaviour, but by an austerity of manners, which acquired him respect. He entirely answered the expectation of those who had chosen him; for he not only condemned the two vestals, but a great number of others, so that his tribunal was called the rock of the accused: *scopulus reorum*.

Val. Max.
iii. 7.

Dio apud
Vales.
p. 626.

It however is not probable, that a person so much praised for his virtue, should confound innocence with guilt; and that, according to Dio's expression, not only those who were convicted, but all that were accused, were punished. The example of M. Antonius, the illustrious orator, of whom we shall frequently have occasion to speak in the sequel, is a proof, that to be accused did not suffice for being reputed a criminal. It is true, he behaved with such courage and resolution, as highly prejudiced his judgment in favour of his innocence.

* Homo, non liberalitate, ut alii, sed ipsa tristitia & severitate popularis. Cic. Brut. 97.

He was actually Quæstor, and having Asia for his province, was upon the point of setting out from Brundisium, when he was informed, that he was accused before L. Cassius. There was a law to exempt those from prosecution who were absent on the service of the Commonwealth. But M. Antonius would not take the advantage of it, and returned from Brundisium to Rome to appear for himself, and answer the accusations brought against him. His trial came on: and one circumstance rendered the offence very difficult for the accused. The prosecutors demanded, that a slave, who they pretended had carried a torch before him in the night, when he went to the criminal rendezvous, should be delivered up to them, in order to his being put to the question. This slave was very young: and Antonius was in extreme apprehensions, both from the weakness of his years, and the violence of torments. But the slave himself exhorted his master to deliver him up without fear; assuring him, that his fidelity was proof against the most cruel inflictions. He kept his word; and the question, which was very rigorous amongst the Romans, whips, racks, and red hot irons, could not overcome his constancy, nor make him speak in a manner prejudicial to the accused: an example which proves, that virtue, and consequently true Nobility, is of all ranks and conditions. Antonius was acquitted, and set out for his province with honour and tranquility of mind.

The Senate beheld this degeneracy of manners as a publick calamity; and had recourse, as had happened before on the like occasions, to religion. The books of the Sibyl were consulted, and in consequence of the answer they were supposed to give, it was resolved, that a temple should be erected to Venus, under the new surname of Verticordia, which implied, that she was invoked to change the heart. It was also added, that the statue of Venus should be placed, and dedicated, in this temple, by the most virtuous woman of Rome: a singular regulation in a matter not a little delicate. In order to this choice, the Ladies nomi-

nated an hundred amongst them : out of this hundred ten were chosen by lot, by whose voices Sulpicia, the daughter of Sulpicius Paterculus, and wife of Q. Fulvius Flaccus, was chosen. This fact no doubt puts the reader in mind of that concerning Scipio Nasica, declared by the whole Senate the most worthy and upright man of Rome, and deputed with that glorious title to receive the mother of the gods, just arrived from Pessinuntum in Phrygia.

Another superstition was also put in practice, with the same view of appeasing the wrath of the gods, but a cruel one, and highly unworthy of Rome, especially at a time when philosophy, and the arts of Greece, had begun to enlighten the minds of the Romans, and to reform their manners. In one of the publick places of the city they buried a male and female Gaul, and a Grecian man and woman. And what is entirely odd, whilst they practised these abominable sacrifices themselves, they prohibited them severely to some barbarous nations, amongst whom they were authorized by law and custom.

I proceed now to relate two famous trials, that ruined two illustrious persons, invested with the principal dignities.

We have seen C. Carbo act very different parts. Though he had been friend to C. Gracchus, even to madness, he afterwards took upon him the defence of his murderer. On the expiration of his Consulship, that is, the 633d year of Rome, he was accused, it is not said of what crime, by L. Crassus, who was then but one-and-twenty years old, and who made this cause his first trial of skill: for his oration for the vestal Licinia, of which I have spoke above, was six years later than this. It was much the custom of young persons who aspired at the glory of eloquence, to endeavour to make themselves known by some remarkable accusation, that gave them opportunity to display their talents, and at the same time to prove their zeal for justice, and their hatred for bad citizens: Carbo, whom Crassus attacked, was certainly highly capable

capable of defending himself. With credit, power, and honours, he united great eloquence, which occasioned him to be considered as the best orator of his time. But it had probably happened to him as to other * deserters of their party, who make themselves odious to those they quit, and are suspected by those to whom they go over. He was undoubtedly not supported by the faction of the people, which he had abandoned, and the partisans of the aristocracy did not confide in him. The young accuser omitted nothing to lessen the merit of his return to the party of the Nobility, in repeating to the judges the excesses he had been guilty of during his attachment to the Gracchi. He proceeded against him with so much vigour, that Carbo, to prevent an inevitable condemnation, poisoned himself, as was believed, with cantharides.

Crassus acquired great honour by this affair. † It was thought very glorious, that at an age when those who exercise themselves deserve praise, this young orator should practise at the bar what he might still be only studying in his closet with honour. But his eloquence was not the only thing that gained him applause. An act of justice and generosity in respect to his enemy was more admired, and with reason. One of Carbo's slaves brought his master's papers to Crassus, which might have been used for convicting him. Crassus conceived horror for this treachery, and sent back the slave to the accused in chains, with the case of papers, which he would not so much as open. He knew that this kind of war, as well as that made with arms, has its laws, which ought to be observed even between enemies.

But his too great timidity was upon the point of making him lose the whole fruit of his labours,

* *Transfugæ nomen execrabile veteribus sociis, novis suspectum.* Liv. xxvii. 17.

† *Quâ ætate qui exercentur laude affici solent—eâ ætate L. Crassus ostendit, id se in foro optimè jam facere, quod poterat domi cum laude meditari.* Cic. de Off. II. 47.

and of saving Carbo. When he began to speak he was quite disconcerted, and lost ground. He would have been under the necessity of retiring with confusion, if the President of the tribunal had not come in to his aid. Q. Maximus (this President was so called) took compassion of the condition in which he saw the young orator, who promised infinitely. He broke up the assembly, and put off the cause to another day. Crassus by this means had time to recover himself, and not only terminated the affair against Carbo with success, but in the sequel, both pleaded and spoke before the Senate and People with all the resolution necessary; retaining of his former timidity only an * amiable modesty, which not only did no hurt to his discourse, but served to recommend it, from the advantageous idea it gave of the orator's probity. This modesty rose to a kind of fear: and Cicero, just at the end of his career, introduced it again; declaring, that he never spoke in publick without changing colour, especially at the beginning of his discourse, and trembling all over. † The more taste and eloquence any one has, the more he perceives the greatness of the art of speaking, and the difficulty of succeeding in it.

L. Crassus, the year after he had caused Carbo to be condemned, seemed desirous to make trial of the party of the People, in the affair of the colony of Narbonne, of which he pretended to be, and really was ‡ one of the founders. It appears, that the Senate opposed the establishment of this colony; and Crassus, in a discourse which he made upon this subject, and which Cicero praises, as being of § greater

* Fuit mirificus quidam in Crasso pudor, qui tamen non modò non obesset ejus orationi, sed etiam probitatis commendatione prodesset. *Cic. l. I. de Or. n. 122.*

† Ut quisque optimè dicit, ita maximè dicendi difficultatem, variosque eventus orationis, expectationemque hominum pertimescit. *Cic. ibid. n. 120.*

‡ It was the custom of the Romans when they founded a colony, to nominate three distinguished persons to preside in settling it. These were called, "Triumviri coloniae deducendæ."

§ Senior, ut ita dicam, quam illa ætas ferebat, oratio. *Cic. Brut. n. 160.*

maturity than could be expected from the orator's years, warmly attacked the authority of the Senate, and spared no pains to reduce it. This is the only step of this kind that could be imputed to him. All the rest of his life he was a zealous defender of the aristocratical party, and died, as we shall see, in defending it.

L. Crassus, and M. Antonius, who was accused in the affair of the vestals, are the two first Roman orators, that Cicero thinks, can be compared with the Greeks. We may see what has been said upon that head at the end of the Antient History.

We have not so large a detail to make concerning the condemnation of C. Cato. We have seen him shamefully defeated by the Scordisci in 638. It was said, that he behaved no better in the civil government of his province Macedonia, and at his return to Rome he was accused and condemned for extortion. A. R. 639. The damages of this kind which he had done the subjects of the Commonwealth, were however but very inconsiderable, as they were rated in the trial at only eighteen thousand sesterces; about an hundred and ten pounds sterling. For a person of Consular dignity, the grandson of Cato the Censor, and Paulus Æmilius, and the nephew of Scipio Africanus, to be condemned for so small a matter, is an instance of great severity. But * in those days, says Velleius, the will of doing ill, and not the quantity of the ill done, was considered: the intention was the rule of judging facts; and the quality, not the extent, of the injustice was enquired into. Perhaps also C. Cato's bad conduct in the war, and his defeat, were the real motives for the sentence passed against him.

Let us conclude this section with a circumstance more capable of pleasing a reader who has a regard for the glory of Manners. About the beginning of the war with Jugurtha, L. Piso, the son of him who

* Adeo illi viri magis voluntatem peccandi intuebantur, quam modum factaque ad consilium dirigebant: & quid, non in quantum, admissum foret, æstimabant. VELL. ii. 8.

passed the first law against public extortions, was sent with the authority of Prætor into Spain, where some commotions had arose. There, whilst he was exercising himself in the use of arms, he happened to break the ring he wore on his finger. The question was to make another. Piso, who piqued himself upon shewing that he was worthy of his father, and of the honourable surname of Frugi, or man of probity, which he had transmitted to him, and being unwilling that any body should suspect the ring he used to be a present received in his province, had recourse to a very singular precaution. He sent for a goldsmith into the forum of Cordova, where he then was, and weighed to him the gold in the sight of all that were present, of which he ordered him to make a ring upon the spot before every body. Thus, says * Cicero, who has preserved this fact, “ though only half an ounce of gold was in question, Piso was desirous that all Spain should know whence it came; and that it was part of his own property, and not the gift of any body.” This niceness, which perhaps abundance of people amongst us would think excessive, cannot displease those who judge rightly of virtue. If there be excess in it, how laudable is that excess; and how much were it to be wished, that men would err in having too much respect for the laws, and too much care in preserving their reputation clear of blemish! This Piso was killed in Spain, it is not known how.

* Ille in auri semuncia totam Hispaniam scire voluit, unde Prætori annulus fieret. Crc. iv. in Verr. n. 57.

T H E

ROMAN HISTORY.

BOOK THE TWENTY-NINTH.

WAR WITH JUGURTHA.

THIS book begins from Jugurtha's ascending the throne, and contains about fourteen years, from the 634th to the 647th year of Rome. It contains the war with Jugurtha, and some detached facts.

S E C T. I.

Preamble. Abridgment of the history of Masinissa. Praise of that Prince. Partition of his dominions after his death. Character and great qualities of Jugurtha. Micipsa, son of Masinissa, sends Jugurtha to serve at the siege of Numantia. He acquires great reputation there. Scipio sends home Jugurtha with a letter to Micipsa full of his praises. Micipsa, at his return, adopts him. Being at the point of death, he exhorts his three sons to live in great unity. Hiempsal, the youngest son, quarrels with Jugurtha, who causes him to be killed. Adherbal, the eldest, is defeated in a battle by Jugurtha, and takes refuge at Rome. Jugurtha sends

VOL. VI. O Deputies

P R E A M B L E.

Deputies to Rome, and corrupts the principal persons of the Senate. The Senate sends Commissioners to Numidia, to make a new partition of that kingdom between Jugurtha and Adherbal. Jugurtha attacks Adherbal, and obliges him to take arms. He defeats his brother's army, and besieges him in Cirta. The Senate, by their Deputies, order them to lay down their arms. Jugurtha, notwithstanding those orders, continues the siege with vigour. Adherbal writes to the Senate to implore its aid. Deputies are sent to Jugurtha, who conclude nothing. Adherbal surrenders, and is murdered. War is declared against Jugurtha. He sends his son as a Deputy to Rome, who is ordered to quit Italy. The Consul Calpurnius arrives in Numidia at the head of the army. Jugurtha corrupts him and also Scaurus, and makes a pretended treaty with them. Calpurnius returns to Rome, and is universally blamed. The Tribune Memmius animates the People by harangues against Jugurtha and his accomplices. L. Cassius is deputed to Jugurtha, and persuades him to go to Rome to give an account of his conduct. Jugurtha arrives at Rome, and corrupts the Tribune C. Bæbius. Memmius interrogates Jugurtha juridically before the People. Bæbius forbids him to answer, and breaks up the assembly. Jugurtha causes Massiva to be assassinated at Rome. He receives orders to quit Rome and Italy.

P R E A M B L E.

THE war with Jugurtha, which I am going to relate, and which I shall continue, according to my custom to the end, without interrupting the series of it with foreign events, subsisted only six years, but gave the Romans great occupation and disquiet; their armies suffering the most shameful defeats. What rendered it more considerable was, its being in a manner in the bosom of this war the civil dissensions between Marius and Sylla took birth, which cost the Commonwealth so much blood, and spread desolation throughout all Italy.

It is no doubt a great advantage to have such an author as Sallust for my guide in this history. His merit, universally admired for so many ages, stands in no need of my praise. But I cannot omit Quintilian's judgment, who in that excellent chapter wherein he gives us the characters of all the ancient authors, thinks it enough in respect to Livy, to say, that “* by the different kinds of beauty which he knew how to unite in himself, he had acquired the immortal glory Sallust had merited by the brevity of his style, and was rather equal to, than like, him.”

If the † brevity and conciseness of Sallust's style, which contains almost as many thoughts as words, as has been said of Thucydides his model, must extremely please an intelligent reader, it must also be the despair of one who should attempt to preserve its beauties in another language. Let no one therefore be surprized frequently to find the copy infinitely short of the perfection of the original. I might, to spare myself the comparison, suppress the Latin: but I am far from being willing to deprive my readers of so great a pleasure.

Before I enter into the war of Jugurtha, I must go back a little, and give a brief idea of the history of Masinissa, from whom he was descended.

BRIEF HISTORY OF MASINISSA.

Two Princes, Syphax, and Gala the father of Masinissa, reigned at the same time in Numidia, but over different states. The subjects of the first were called Masæfuli, and occupied the western part as far as Mauritania. The others were called Massyli, situated at the east of the former, and bordering upon

* Ideoque immortalem illam Sallustii velocitatem diversis virtutibus consecutus est. Nam mihi egregie dixisse videtur Servilius Novianus, pares eos magis quam similes. QUINTIL.

† Illa Sallustiana brevitās, quā nihil apud aures vacuas atque eruditās potest esse perfectius. Ibid.

the dominions of the Commonwealth of Carthage. The name of Numidians, which was common to both, is more known. The principal force of their armies consisted in cavalry. They rode their horses without saddles; and many guided them without bridles; from which they are called in Virgil, *Numidæ infrani*.

Liv. xxiv.
48, 49.

The sixth year of the second Punic war, Syphax had attached himself to the party of the Romans. Gala, to prevent the progress of a neighbour already too powerful, thought it necessary to support himself with the alliance of the Carthaginians, and sent a numerous army against him under his son Masinissa, then only seventeen years old. Syphax was defeated in a battle wherein thirty thousand men were killed, and fled into Mauritania. But in the sequel things very much changed aspect.

Liv. xxix.
29—34.

Masinissa, after the death of his father, experienced all the vicissitudes and rigors of fortune; deprived of his kingdom, re-established, dethroned again, warmly pursued by Syphax, and every moment upon the point of falling into his enemy's hands, without troops, arms, or a secure asylum. In these sad circumstances, his valour and the amity of the Romans were his resource. Having attached himself to the first Scipio Africanus, he shared in his victory over the Carthaginians and Syphax. From thenceforth his life was one continued series of prosperity, without being interrupted by any unhappy accident. He not only recovered his kingdom, but added to it that of Syphax his enemy; and became the most powerful Prince of Africa.

As he owed every thing to the Romans, he continued firm in that honourable alliance with inviolable zeal and fidelity. He retained a very robust state of health to the end of his life, which was partly the effect and reward of his extreme sobriety in eating and drinking, and of the care which he took to inure himself continually to labour and fatigue. Polybius observes, (which passage we have from Plutarch) that
the

the next day after a great victory over the Carthaginians, he was found before his tent, making a meal of a piece of brown bread.

Scipio the younger, who afterwards ruined Carthage and Numantia,* was sent to Masinissa by Lucullus, under whom he served in Spain, to ask elephants of him. He arrived exactly at the time that Prince was going to give the Carthaginians battle. He was spectator of it from the top of an hill near the place where it was fought. I have already observed elsewhere, that he was very much amazed to see Masinissa, then more than fourscore years old, mounted on an horse without a saddle, according to the custom of the country, giving his orders on all sides, and like a young officer, sustaining the greatest fatigues. He contracted a particular friendship with that Prince, who was extremely pleased that he was present at his victory, and paid him all the honours due to the worthy heir of his benefactor.

Some few years after, Masinissa falling sick, and finding himself near death, wrote to the Proconsul, under whom Scipio then served at the siege of Carthage, to desire him to send the latter to him; adding, that he should die contented if he could expire in his arms, after having made him the depositary of his last will. But perceiving that his end approached before he could have that consolation, he sent for his children, and told them, "That he knew no people upon earth except the Romans, and of that people only the family of the Scipio's: That in dying he left Scipio Æmilianus absolute power to dispose of his estates, and divide his kingdom amongst his children: That it was his will, whatever Scipio should decide, should be punctually executed, as if himself had so appointed in writing." After having spoke this, he died * at a very advanced age, having re-

Val. Max.
v. 2.
App. p. 63.

* Most authors, when they speak of his death, make him at least ninety years old. But, if in the sixth year of the second Punic war he was but seventeen, as we have said after Livy, when he died, he could be only in his fourscore and third year.

Cic. de
Sen. n. 34.

tained the whole strength of his mind and body to the last. Cicero tells us, that even in the last years of his life, if he had set out upon a march on foot, he did not mount on horseback; that if he was on horseback, he did not dismount to walk; that neither cold nor rains could oblige him to cover his head; in a word, that he enjoyed a very robust state of health, so as to discharge all the functions and duties of the sovereignty. He left behind him a prodigious number of children, (some say forty-four) of which one was but four years old, and three only born in lawful marriage, Micipsa, Gulussa, and Manastabal.

Polyb.
apud
Valef.
p. 174.

This Prince may be deemed one of the greatest Kings, of whom history has preserved the memory. As a warrior, and able politician, he knew how both to acquire and preserve a powerful state, which he governed during almost sixty years with great wisdom. Respected by his numerous family, he always maintained peace and good intelligence in it; and his house was exempt from all those jealousies, those violent enmities and horrors, with which the courts of the Kings his cotemporaries abounded. His superior genius raised him above the barbarity of his nation, and made him even labour to establish good polity, and to civilize his people, who had been almost savages till his time, and lived by hunting, and upon the milk of their cattle. He disciplined them; and from robbers, which they were before, he made them soldiers. He made agriculture flourish, or rather introduced it, in his dominions. Numidia was not cultivated before him, and even passed for a barren country. But it was not the land that was wanting to the inhabitants; but the inhabitants who neglected a fertile soil, and who left it for a prey to beasts; chusing rather to rob and pillage from one another. Masinissa knew the goodness of the land, and caused it to be cultivated; and Numidia by his care and pains became as rich in grain and fruits as any other nation of the world.

His estates and dominions were divided by Scipio, whom he left absolute arbiter in that respect. Scipio decreed, that the name and authority of King should appertain in common to the three legitimate Princes, and gave the rest considerable estates. According to Diodorus, each of them had a thousand acres of land, with all that was necessary for cultivating them. In the partition of the functions of the sovereignty between the three Princes, he had regard to the character and genius of each. Micipsa, who was the eldest, was a lover of peace and letters. He gave him the capital city and the finances. Gulussa, who was a warrior, had all that related to war and the troops for his part. Manastabal, a great lawyer, was charged with the administration of justice to the people. But Micipsa soon united the whole authority in his own person by the death of his two brothers. He reigned thirty years, always in peace, making the study of letters and philosophy his delight, and taking great pleasure in the conversation of learned men, whom he invited from Greece to his court, and attached to his person.

Diod. ap.
Valef.
p. 386.

BEGINNINGS OF JUGURTHA.

Micipsa had two sons, Adherbal and Hiempsal: and caused his nephew Jugurtha, the son of Manastabal by a concubine, to be educated in his palace, and took as much care of him as of his own children. The latter had excellent qualities, that acquired him general esteem. He was well made, of a beautiful aspect, abounded with wit and sense, and did not, as is usual with young persons, give into luxury and pleasure. He exercised himself with those of his years in racing, darting the javelin, and riding the war-horse. Hunting was his sole amusement; especially hunting of lions and other fierce beasts. * Though

* Cùm omnes gloriâ anteiret, omnibus tamen carus esse. Plurimum facere, & minimum ipse de se loqui. SALLUST.

BEGINNINGS OF JUGURTHA.

he was superior in all things to his companions, he had the address to acquire their affection : he was more intent upon deserving, than receiving, praise ; doing much, and speaking little of himself.

So shining, and so generally approved a merit, began to give Micipsa disquiet. He saw * himself far advanced in years, and his children very young. He knew of what ambition is capable when a throne is in question ; and that with much fewer talents and less moderation than Jugurtha had, it was easy to be allured by so affecting a temptation, especially when supported by circumstances entirely favourable. He discerned with grief, that he had brought up a secret enemy in his house, and one who would perhaps be its destroyer.

In order to remove so dangerous a rival of his children, he gave him the command of the troops he was going to send to the aid of the Romans, then before Numantia, under the command of Scipio Æmilianus. He flattered himself that Jugurtha, brave as he was, might precipitate himself into some dangerous action that might cost him his life. That young prince acquired so much reputation by his assiduity in the service, his exact obedience, and his ardour to signalize himself on the most hazardous occasions, that it was hard to judge, whether he was more esteemed by the Romans, than dreaded by the enemy. And † what is very extraordinary in his age, he was not only intrepid in battle, but of singular prudence in council ; of which the one is apt to occasion a too cautious timidity, and the other a too rash boldness. Accordingly the General, having discerned all his merit, treated him with more and more regard, and professing peculiar amity and confidence for him, he usually

* Terrebat eum natura mortalium avida imperii, & præceps ad explendam animi cupidinem : præterea opportunitas suæ liberorumque ætatis, quæ etiam mediocres viros spe prædæ transversos agit. SALLUST.

† Ac sanè, quod difficillimum in primis est, & prælio strenuus erat, & bonus consilio : quorum alterum ex providentia timorem, alterum ex audaciâ temeritatem adferre plerumque solet. SALLUST.

charged him with the most difficult and dangerous commissions. Besides this, Jugurtha was liberal and magnificent, was very engaging in his manners, and possessed the art of insinuating into favour in a supreme degree, so that he gained the hearts of a great number of Romans, who contracted a very strict and intimate friendship with him.

There was at that time many in the army, as well of the Nobility as of less considerable families, who set a much greater value upon riches than probity; these were of a turbulent and factious disposition, and by their intrigues had acquired credit at Rome and with the allies; but had a more extensive than advantageous reputation. These dangerous spirits, to kindle Jugurtha's ambition, which was but too ardent before, gave him to understand, that when Micipsa died, he might have the kingdom of Numidia alone: that his valour made him worthy of it; and for the rest, every thing was sold at Rome.

Scipio, after the taking of Numantia, designing to dismiss the auxiliary troops, and to return to Italy himself, gave Jugurtha great praises, and honoured him with military rewards in the presence of the whole army. He afterwards took him alone into his tent; and as he was not ignorant of the dangerous intimacies he had contracted, and the pernicious counsels of the young Romans mentioned above, he gave him salutary advice in respect to his conduct, well worthy of that wisdom and virtue which rendered Scipio still more admirable than the glory of arms. He told him, " That the amity of the Roman People was to be cultivated rather by methods of honour, than by dark practices, and by attaching himself less to particulars than to the body of the State itself. That it was dangerous to desire to buy of some citizens by gifts what belonged to the public. That if he persevered in the paths of virtue, as he had hitherto, he could not fail of glory and the royal dignity, which would in some sense meet him half way: whereas, if through a precipitate ardour, he proposed to obtain
it

it by dint of presents, his very money would prove the cause of his ruin."

After having given him this advice, with which he mingled abundance of expressions of friendship and esteem, he sent him back to his own country with a letter for Micipsa, conceived in these terms: "Jugurtha, your nephew, has extremely distinguished himself by his valour and wisdom in the war of Numantia. I know that this news will give you extreme pleasure. His merit has made him very dear to me. I shall endeavour so to act, as to make him also beloved by the Senate and People of Rome. I should believe myself wanting to our friendship, if I did not congratulate you upon having in the person of Jugurtha, a nephew worthy of you, and of his grandfather Masinissa."

When the King saw that all the good things publick report had said of Jugurtha were confirmed by the Roman General's letter, moved with so authentic a testimony, he resolved to change his conduct for the future, and entertained no thoughts but to win him by force of favours and obligations. He began by adopting him; and by his will he appointed him joint heir with his two sons.

A. R. 634.
Ant. C.
118.

M. PORCIUS CATO.

Q. MARCIUS REX.

Micipsa seeing himself at the point of death, sent for the three Princes together, and made them approach his bed. There, in the presence of the principal persons of his court, he spoke as follows. "You remember, Jugurtha, that having lost your father at a very tender age, you were left without hope or support, when I received you into my house, believing that I should not be less dear to you on account of my favours, than if I had given you life, and that you would do great honour to our family. I have not been deceived in my expectation. For, not to mention many others of your actions,

“ actions, by your last behaviour at the War of Nu-
 “ mantia you have acquired the highest glory for me
 “ and my kingdom; from declared friends, as the
 “ Romans were before, to us, you have induced
 “ them by your merit to become still more so: you
 “ have given new birth to the name and memory of
 “ our house in Spain: and lastly, which is very ex-
 “ traordinary and difficult amongst men, you sur-
 “ mounted envy by the lustre of your glory. * Now,
 “ when I see the end of my life draws nigh, I call
 “ upon you, I conjure you, by this right hand with
 “ which I adopted you, and have associated you in
 “ the sovereignty with my sons, sincerely to cherish
 “ them, who are your near relations by birth, and
 “ are become your brothers by my favour, and that
 “ you will not do them the injustice to chuse rather
 “ to attach strangers to you, than to retain the af-
 “ fection of those who are united to you by blood.
 “ It is neither armies nor treasures that are the sup-
 “ port of a kingdom; but friends, who are neither
 “ acquired by arms, nor gold, but by real services
 “ and inviolable fidelity. Now can one have better
 “ friends than one’s brothers; and what faith can he
 “ expect from strangers who becomes an enemy to
 “ his near relations? I leave you a kingdom, strong
 “ if you behave with virtue; but weak, if otherwise.
 “ For the smallest states augment by unity; and the
 “ greatest are destroyed by discord. For the rest,

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 118.

* Nunc, quoniam mihi natura finem vitæ facita per hanc dextram, per regni fidem moneo obtestorque, uti hos, qui tibi genere propinqui, beneficio meo fratres sunt, caros habeas; nec malis alienos adjungere, quam sanguine conjunctos retinere. Non exercitus, neque thesauri, præsidia regni sunt, verum amici: quos neque armis cogere, neque auro parare queas: officio & fide pariuntur. Quis autem amicior, quam fratres? aut quem alienum fidum invenies, si tuis hostis fueris? Equidem ego regnum vobis trado, firmum si boni eritis: si mali, imbecillum. Nam concordia res parvæ crescunt, discordiâ maximæ dilabuntur. Ceterum ante hos, Jugurtha, qui ætate & sapientia prior es, ne aliter quid eveniat, providere decet. Nam, in omni certamine, qui opulentior est, etiamsi accepit injuriam, tamen, quia plus potest, facere videtur. Vos autem, Adherbal & Hiempsal, colite, observate talem hunc virum: imitamini virtutem, & enitimini, ne ego meliores liberos sumpsisse videar, quam genuisse. SALLUST.

“ Jugurtha,

A. R. 634.
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118.

“ Jugurtha, as you have more years and capacity
“ than my other two sons, it is incumbent on you to
“ see this rule duly observed. Remember that in all
“ disputes, he who is strongest is always suspected to
“ have done the injury, even though he has received
“ it, for the very reason, that he has more power and
“ occasion to do it. As to you, Adherbal and Hi-
“ empsal, be careful to esteem and respect the great
“ merit of Jugurtha. Imitate his virtue, and en-
“ deavour to prevent it from being said, that my
“ children by adoption were better than those I had
“ from nature.” Micipsa concluded with recom-
mending to them all to continue faithful to their en-
gagements with the Roman People, and to consider
them always as their benefactors, patrons, and masters.

Jugurtha, who rightly perceived that the King had
not spoken according to his real sentiments, and that
the conduct of that Prince in respect to him had more
of fear than good-will in it, returned him feint for
feint, and concealing his thoughts with profound dis-
simulation, he replied with such professions of affection
and gratitude as the conjuncture of affairs required.
Some few months after Micipsa died. As soon as the
last honours were paid him with a royal magnificence,
according to the custom of the country, the Princes
met to deliberate upon the present state of affairs. Hi-
empsal, the youngest of the two brothers, a Prince of
a proud and haughty disposition, and who had always
expressed great contempt for Jugurtha, on account of
the meanness of his birth on the mother's side, on this
occasion took his seat upon his brother's right hand, to
hinder Jugurtha from taking the post of honour in the
middle; and it was not without great difficulty, that
Adherbal prevailed upon him to go to the left, by re-
presenting to him, that some regard was to be had to
seniority.

After this beginning; which did not promise much
unity, many things were brought upon the carpet
concerning the administration of the state: and amongst
other proposals made by Jugurtha, he said, that it

was necessary to annul all the decrees made by the late King, during the last five years of his reign, because having been superannuated, his mind had shared in the infirmity of his body. Hiempsal hastily replied, that he was entirely of that opinion, because his father had adopted Jugurtha but three years before his death. That expression was too home a stroke not to be sensibly felt by Jugurtha, and left a deep wound behind it. From thenceforth he gave himself up to the impressions of the most violent rage and disquiet; studied nothing night and day but means for destroying Hiempsal, and endeavoured by different methods to ensnare him. Hiempsal, on his side, did not spare him, and seemed to take pleasure in aggravating his hatred. This did not last long; for the next year Jugurtha found means to have him murdered.

A. R. 634
Ant. C.
118.

L. CÆCILIUS METELLUS.

A. R. 635.
Ant. C.
117.

Q MUCIUS SCÆVOLA.

The news of the murder of Hiempsal soon spread throughout Africa. Adherbal saw from thence what he had to fear for himself. Numidia was divided into two parties between the two brothers. Great armies were raised on both sides. Adherbal, after having lost most of his strong towns, was defeated in a battle, and forced to take refuge at Rome.

Jugurtha, having effected his designs, saw himself master of all Numidia: but he had reason to fear from Rome. The remembrance of what he had heard of the avarice of the Nobility, capable of any thing for money, gave him hopes. He immediately dispatched Ambassadors with great sums, and orders to spare nothing, and to corrupt the Senators at any price. They soon found the reality of every thing being venal at Rome. They presently acquitted themselves of their commission, and made an almost instant change in people's sentiments. The cause of Jugurtha, so notorious and so hateful in itself, and against which at first all the

A. R. 635. the world were prejudiced, soon wore a different
 Ant. C. aspect.

117.

When the Senate gave both parties audience, Adherbal related, “ the unhappy condition to which he was reduced, the injustice and violence of Jugurtha, the murder of his brother, the loss of almost all his fortresses, and the sad necessity he was under of abandoning his kingdom, and of seeking an asylum in a city that had always conceived it for her glory to protect Princes unjustly oppressed. He insisted principally on the last orders his father had given him at his death, to place his sole confidence in the Roman People, whose amity would be a more firm and secure support for himself and his kingdom, than all the troops and riches in the world.” His speech was long and pathetic.

Jugurtha’s Deputies answered in few words : “ That Hiempsal had been killed by the Numidians on account of his cruelty. That Adherbal had been the aggressor ; and that after having been conquered, he complained of not having done all the ill he could have desired. That their master desired the Senate to judge of his conduct in Africa by that which he had observed at Numantia, and to have more regard to his actions, than to the reports of his enemies.

They had used, as I have said before, an eloquence in secret, more persuasive than that of words ; and it had all its effect. Except a small number of Senators, who still retained some sentiments of honour, and were not sold to injustice, all the rest inclined to favour Jugurtha. The deliberations of the Senate terminated in appointing ten Commissioners to make a new partition of Micipsa’s kingdom between Jugurtha and Adherbal. At the head of this commission was L. Opimius, whose authority was then great in the Senate, after the service he had done that Order, by the murder of C. Gracchus, M. Fulvius, and by the many other violences he had committed against the Plebeians. Jugurtha gave him the most honourable reception ; and knowing his great avidity, took him

him in his foible, made him great presents, and still much greater promises. He at length succeeded so effectually in bringing him over, that he engaged him to prefer his interests to his faith, reputation, and honour. He acted in the same manner with the other Commissioners, amongst whom he found few that had more regard for their duty than for money. The partition was made as Jugurtha wished, however with some appearance of equity. He had for his share the provinces adjacent to Mauritania, which were peopled with the best men, and were the best cultivated and most fertile. Adherbal had those which, tho' more adorned with buildings, and more abundant in sea-ports, had not so many solid, as seeming, advantages.

Jugurtha, who at first could not be without some fears, seeing his guilt in a manner rewarded, and having thereby experienced what his friends had told him at Numantia, that all things were venal at Rome, no doubt became more bold in his endeavours to compleat the design he had so happily begun. He however continued five years without moving, whatever reasons he had for it. But at length, tired of that restraint, he determined to invade Adherbal's kingdom. This seemed easy to him. * He was active, enterprising, and well skilled in the art of war; Adherbal, on the contrary, was indolent, tranquil, and pacific; and as he had little experience of war, had little taste for it; and consequently was more exposed to insult, and more liable to fear others, than to be feared himself. Jugurtha accordingly entered his brother's territories with a considerable body of troops, carried off great numbers of captives and cattle, burnt towns and villages; and after having committed all kinds of hostilities, returned into his own kingdom with great spoils. This passed in the Consulship of Drusus and Piso.

* Ipse acer, bellicosus: at is quem petebat, quietus, imbellis, plando ingenio, opportunus injuriæ, metuens magis quam metuendus.

A. R. 640.
Ant. C.
112.

M. LIVIUS DRUSUS.

L. CALPURNIUS PISO.

Jugurtha was in hopes that these hostilities would induce Adherbal to use reprisals, and thereby give him occasion to pursue the war with vigour, and even to justify himself to the Romans, if necessary. But that Prince, though highly enraged by such an insult, perceiving himself the weakest, and relying more upon the amity of the Romans than the fidelity of his subjects, contented himself with sending Ambassadors with complaints to his brother, who brought back only a disobliging answer. Notwithstanding this new affront, Adherbal resolved to suffer every thing rather than undertake a war, in which his first trial had succeeded too ill. His timidity, so openly avowed, served only to increase Jugurtha's boldness. He took the field, not with only a flying camp as before, but with a numerous army. He ravaged all the places through which he passed, putting all to fire and sword, in order to spread terror amongst the enemy, and to encourage his own troops. Adherbal, forced by necessity, and having no other choice to make, but either to abandon his kingdom, or defend it, raised troops, and marched against Jugurtha.

The two armies met near Cirta, not far from the sea, but they did not come to blows then, because it was late in the day. When the night was far advanced, but before day-light appeared, Jugurtha's soldiers, on the first signal given them, attacked the enemy's camp, and finding some half asleep, and others taking arms, they presently put them to flight. Adherbal escaped to Cirta with some cavalry; and if the * Romans and Italians, great numbers of whom were then in that city, had not stopt the pursuit of the victors, the business had been over; Cirta had been

* All the cities of trade either subject to, or in alliance with Rome, were full of Romans and Italians, whom commerce drew thither, and induced to settle there,

taken, and the war between two powerful Princes A. R. 640.
would have begun and ended in one and the same Ant. C.
day. 112.

Jugurtha, without losing time, laid siege to the place, and made all his machines advance to attack it in form. He lost no time to prevent the effect of the embassy, which he knew Adherbal had sent to Rome before the battle. As soon as the Senate received advice of the war between the two brothers, three young Senators were appointed to go and declare in the name of the Senate and People of Rome, that they should lay down their arms; the honour of the Commonwealth, and their own interest, requiring it.

These Deputies used expedition, and the more, as before they set out, a report spread at Rome of the battle and siege of Cirta. Jugurtha, after having heard them, answered: "That he had the highest regard and respect for the authority of the Senate. That from his earliest youth he had made it his study to deserve the esteem of the most worthy persons of the Commonwealth. That it could only be by virtuous actions that he had been so happy as to please so great a man as Scipio. That the same motive had induced Micipsa to adopt him, as he had children of his own. That for the rest, the more he had acted with prudence and generosity, the less he was disposed to suffer injuries. That Adherbal had used the most odious expedients to destroy him; and that so pressing a danger had reduced him to take arms. That the Roman people was too wise and equitable to tie up his hands on such an occasion, and prevent him from taking just precautions for the safety of his person, which would be contrary to the law of nations. And lastly, that he should immediately dispatch Ambassadors to Rome to inform the Senate and People of the true state of things." After this discourse they parted, without the Ambassadors being able to obtain permission to see Adherbal.

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Ant. C.
FF2.

As soon as Jugurtha believed they might be out of Africa, seeing that Cirta, in effect of its situation, defended itself with ease against all his attacks, he drew a line of circumvallation strengthened with towers, and sufficient troops to guard them. He acted continually night and day, either by open attacks, or stratagem. Sometimes he endeavoured to bring over the garrison by promises, and sometimes to intimidate it by threats. He incessantly animated his own troops, disposing all things, and being himself the soul of his enterprize.

Adherbal, reduced to extremities by an enemy from whom he had no quarter to expect, without hopes of aid, and the scarcity of provisions not permitting him to sustain the siege long, saw no other resource but in the Romans. By great promises he engaged some Numidians to pass the enemy's works in the night, in order to gain the sea-coast, and carry a letter from him to Rome. It was read in the full assembly of the Senate, and its contents were as follows.

“ It is not my fault, Fathers, if I seem importunate
“ to you, by so often imploring your aid: it is Ju-
“ gurtha's violence and injustice, that force me to do
“ so. He is so determinately bent on my destruc-
“ tion, that he sets both you and the immortal Gods
“ at nought: only my blood can satiate his cruel
“ ambition. He has kept me besieged five months,
“ in contempt of the alliance and amity by which I
“ am united with the Roman People. Neither the
“ benefactions with which my father Micipsa loaded
“ him, nor your decrees, are of any support to me.
“ I cannot tell whether I am most distressed by arms,
“ or by famine. The present state of my fortunes
“ prevents me from saying more in respect to Ju-
“ gurtha: I have experienced how little credit is
“ given to the complaints of the unfortunate. I
“ plainly perceive, he has not my person only in
“ view; he carries his schemes and designs higher.
“ He has no hopes of retaining my kingdom and
“ your

“ your amity at the same time : but which of those A. R. 640.
 “ two advantages he has most at heart, is not to be Ant. C.
 “ doubted. He began by killing my brother Hi- 112.
 “ empfal. He afterwards drove me out of my do-
 “ minions. Be insensible to our personal evils ; I
 “ consent to it. But the question here is a kingdom
 “ dependant upon you, of which he has possessed
 “ himself by force of arms : it is the person whom
 “ yourselves established King of Numidia that he now
 “ keeps besieged. The situation I am in shews the
 “ regard he has for your orders ; which have been
 “ signified to him by your Ambassadors. What re-
 “ mains then that can make him return to his duty,
 “ except the force of your arms ? For, as to me, I
 “ should chuse much rather, that the complaints I
 “ now make, and those I have made before in full
 “ Senate, were without foundation, than to convince
 “ you, by my misfortunes, that they are but too
 “ true. But, as I am born to be the evidence of Ju-
 “ gurtha’s crimes, I ask no longer that you would
 “ preserve me from misery or from death ; but only
 “ that you would prevent me from falling into the
 “ hands of so cruel an enemy, and that he may not
 “ degrade me so far, as to inflict all kinds of tor-
 “ ments and cruelties upon my body. Dispose as you
 “ please of the kingdom of Numidia, that is your
 “ part ; but extricate me out of the hands of this im-
 “ pious wretch, I conjure you by the majesty of the
 “ Roman Name, and by the rights of amity. If you
 “ retain any remembrance of Masinissa, shew it in
 “ preserving his grandson.”

After this letter had been read, some Senators said,
 that it was necessary to send an army directly into
 Africa, and not to defer aiding Adherbal : that they
 should afterwards deliberate upon the punishment Ju-
 gurtha deserved, for not having obeyed the orders
 which had been signified to him. His friends pre-
 vented this resolution from passing : and * private in-

* Ita bonum publicum, ut in plerisque negotiis solet, privatâ gratiâ
 devictum.

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312.

terest, as happens in most affairs, prevailed over the publick good. Persons of age and birth, who had passed through the greatest offices, were however nominated to go to Africa. Of this number was Scaurus, then a person of Consular dignity, and Prince of the Senate. Sallust, who is by no means favourable to him, as we have before observed, gives us this description of him. "He * was a man of high birth; of a warm, enterprizing, factious disposition; greedy of power, honours, riches; to which may be added, great cunning in disguising his vices under the appearance of virtue." As the affair was notoriously vile, they set out three days after they were appointed, and soon arrived at Utica, and from thence sent Jugurtha orders to repair to them as soon as possible. This at first gave him great perplexity, and the more as he knew that these deputies were illustrious persons, and of great authority. On the one side, he was afraid of irritating the Senate if he refused to obey: on the other, he could not resolve to quit his enterprize. After much reflexion, he determined to make a general assault on the city suddenly, in hopes of carrying it, and thereby terminating the affair, before new orders from the Senate to the contrary should be notified to him. But not having succeeded, and apprehending that Scaurus, of whom he was most afraid, might take offence at his affected delays, he at length resolved to repair to the place appointed by the Deputies with a small escorte of horse. They made him warm reproaches, with great menaces, in the name of the Senate, for not having raised the siege. We do not know what reasons he could give to justify himself: History says nothing of them. It only tells us, that after much discourse on both sides, the Ambassadors returned without having concluded any thing: an extremely suspicious conduct, which gives room to think, that from thenceforth Scaurus was not wholly inaccessible to Ju-

* Æmilius Scaurus, homo nobilis, impiger, factiosus, avidus potentie, honorum, divitiarum: cæterum vitia sua callide occultans.

Jugurtha's presence. For nothing is more contrary to the character of haughtiness and inflexible austerity, which he shewed upon all occasions, than this easiness, with which he suffers a Numidian Prince to treat the orders of the Senate, delivered by himself, with contempt. Florus affirms positively what we advance here only as conjecture.

A. R. 640.
Ant. C.
112.

However it were, this gave Adherbal his mortal wound. The Romans settled in Cirta, who had the principal part in defending the place, seeing that no farther aid was to be expected from Rome, and not apprehending much for themselves, because they concluded, that the majesty of the Roman name would be a safeguard for them, persuaded Adherbal to capitulate, on condition only that his life should be saved. That unfortunate Prince saw plainly, that this was delivering himself up to slaughter: but forced by necessity, he surrendered himself, and was immediately put to death by Jugurtha in the most cruel torments.

Notwithstanding the horror this news excited at Rome, Jugurtha's money still found him defenders in the Senate; and the affair, by delays, obstacles, and the false pretexts, with which endeavours were used to cover and embroil it, took a turn that gave reason to fear the criminal would again escape the punishment due to his crimes. But C. Memmius, Tribune elect, a warm man, and the declared enemy of the Patricians, told the People, that there was a powerful cabal formed, which employed their whole credit to save Jugurtha; and strongly represented what a shame it would be, if so many atrocious crimes, known to all the world, should be suffered to pass with impunity. The Senate apprehended the consequences of the People's just indignation; and war was declared against Jugurtha.

P. SCIPIO NASICA.

A. R. 641.

L. CALPURNIUS BESTIA.

Ant. C.

111.

The Consul Calpurnius was charged with this war. When Jugurtha saw that Rome was actually preparing

A. R. 641. to attack him, he was exceedingly surprized. For
 Ant. C. he had assured himself that money would save every
 111. thing. He however did not lose courage, nor suffer
 himself to be disconcerted. He made his son, with
 two of his intimate friends, set out immediately, with
 orders to spare no money for securing the Senate in
 his interest. When they approached Rome, the Con-
 sul Calpurnius asked the Senate, whether they judged
 it proper that they should be admitted. The answer
 was, that if they did not come to deliver up the King
 and kingdom of Numidia to the Romans, they should
 quit Italy in the space of ten days. This answer was
 signified to them, and they returned without having
 done any thing.

The Consul however made all preparations for war.
 But as he proposed rather to enrich himself, than to
 conquer, he chose persons of great credit for his Lieu-
 tenants, whose authority might serve to screen him,
 and insure him impunity. Of this number was Scau-
 rus, who returned in consequence into Numidia, to
 compleat the loss of his reputation. * Calpurnius
 did not want merit. He was laborious, had great
 penetration of mind, and foresight. He was not ig-
 norant in the art of war, and neither dangers nor am-
 buscades could daunt him. But the love of money
 spoiled all these good qualities, and rendered them
 useless. When he was arrived in Numidia, he at first
 made war with vigour, and took some towns and a
 great number of prisoners. Jugurtha's first care was
 to inform himself well of the genius and character of
 the General he had to deal with. He sent Deputies
 to him, who artfully sounded him, and, after having
 represented to him the difficulty of this war, Jugur-
 tha being both able and determined to defend him-
 self well, insinuated at a distance, that their Prince did
 not want gratitude for those who rendered him services,

* In Consule nostro multæ, bonæque artes animi & corporis erant :
 quas omnes avaritia præpediebat. Patiens laborum, acro ingenio,
 satis providens, belli haud ignarus, firmissimus contra pericula &
 insidias.

The * Consul understood this language well ; and no-
 thing more was wanting to awaken and actuate his
 ruling passion.

A. R. 641.
 Ant. C.
 114.

Scaurus entered into this infamous negotiation, to
 which he ought to have been the more averse, as in
 the beginning, after the murder of Hiempsal, he had
 shewn himself one of the warmest of Jugurtha's adver-
 saries. But Sallust makes no difficulty to say, that
 even then his zeal was mere hypocrisy ; that he feared
 discovery, not injustice ; and that, on the present oc-
 casion, the greatness of the sum offered him, took the
 mask off his false virtue. Florus, who agrees in the
 fact with Sallust, expresses himself however in a man-
 ner less disrespectful for Scaurus, and which even im-
 plies that he had an high idea of him. " Jugurtha,"
 says he, " triumphed over the Roman virtue in the
 person of Scaurus." *Quem in Scauro ipsos Romani im-
 perii mores expugnasset.*

The Numidian at first had not thoughts but of
 gaining time, in order to give his friends opportunity
 to act in his favour at Rome, and to strengthen his
 party there. But when he was assured of Scaurus, and
 had brought him into his interests, he was in hopes
 of obtaining peace, and in order to that demanded an
 interview. It was granted him, and even an hostage
 was given him for his security. This was the Quæstor
 Sextius, who was carried to a city of Numidia, called
 Vacca. It was pretended, that he went thither to
 bring provisions from thence, which Jugurtha had en-
 gaged to furnish.

That Prince came therefore to the Consul's camp.
 The council of war was assembled. He presented
 himself to it, and after having made a short apology
 for his conduct, he concluded with protesting, that
 he put himself into the hands of the Senate and People
 of Rome. The rest of the negotiation was concerted
 in secret with Calpurnius and Scaurus : and the next
 day the council, after an appearance of deliberating,

* Animus æger avaritiâ facilè conversus est.

A. R. 641.
Ant. C.
120.

concluded, that the offer of Jugurtha, to deliver himself up to the Romans, should be received. Jugurtha immediately, as partly in execution of the treaty, caused thirty elephants, a great number of cattle and horses, with a next to inconsiderable sum of money, to be delivered to the Quæstors. Thus the peace was concluded in Numidia without the authority of the Senate and People; and the Consul returned to Rome for the creation of magistrates. His Colleague P. Nasica died during the year of his Consulship, as much esteemed as Calpurnius had made himself despised and hated. Nasica, descended from an house in which virtue seemed hereditary, supported the honour of his name by strict integrity, and was always proof against corruption. His mind was improved by philosophy: but in his application to that study, his chief attention was to form his heart: so that he was more a philosopher by his manners than his learning. For the rest, his philosophy had nothing of rigid and austere in it: it was even polite with gaiety. This appeared both in his familiar conversation and publick discourses, in which, as Cicero tells us, he united elegance of language with the salt of humour and pleasantry. I return to his Colleague, who resembled him so little in conduct and sentiments.

Cic. Brut.
M. 128.

When the manner in which things had been carried in Numidia was known at Rome, the Consul's conduct was universally condemned, and was the whole subject of conversation throughout the city. The People loudly declared their rage and indignation. The Senators were at a loss, apprehending, that if they ratified so shameful a peace, they should disgrace themselves; and on the other side, were not inclined to annul a treaty concluded by a Consul who was dear to the party of the Great. For it was this Calpurnius, who, being Tribune of the People, had recalled P. Popilius, banished by the faction of C. Gracchus. Besides which, the authority of Scaurus, by whose advice it was known that the Consul had acted throughout this whole affair, stopped those who

were

SCIPIO, CALPURNIUS, Consuls.

were best inclined, and prevented the taking of a vi- A. R. 641,
Ant. C.
111.
gorous resolution.

However, the Tribune C. Memmius, in all times the declared enemy of the Patricians, harangued the People in the strongest terms, and exhorted them not to suffer both the glory of the Commonwealth and their own liberty to be annihilated; setting before their eyes an infinity of haughty and cruel actions of the Nobility, to inflame their zeal, and to inspire them with courageous sentiments in the important affair of which we are speaking. Sallust in this place inserts an harangue which, he says, he chose out of several of that orator's, who was very famous in his Cic. Brut.
n. 135.
time, especially for accusations; which gives reason to believe that it is really Memmius's.

“ Many reasons, Romans, would prevent me from
“ presenting myself before you at this time, if my
“ zeal for the publick good did not outweigh all
“ other motives: the credit of the faction that pre-
“ vails here, the excess of your indolence, the open
“ violation of the laws and of justice, and, which
“ most affects me, the grief to see that innocence,
“ far from being honoured as it deserves, only incurs
“ dangers. I am ashamed to repeat in what manner
“ you have been for fifteen or twenty years the sport
“ of the pride of a few powerful men; with what
“ baseness you suffered your defenders to perish with-
“ out avenging their deaths; to how great a degree
“ indifference and insensibility have taken root
“ amongst you, and debased your ancient courage;
“ and lastly, even now, when your enemies give you
“ the justest cause to lay hold of them, in what a
“ manner you neglect the advantage of their down-
“ fall for your rise, and continue to fear those to whom
“ you ought to make yourselves dreadful. Though
“ all these considerations should check me, yet the
“ impulse of courage, and zeal for the publick good
“ within me, force me in a manner to oppose this
“ powerful cabal. I shall still endeavour to use the
“ liberty

A. R. 641. " liberty my father left me : whether my efforts are
Ant. C. " effectual, or not, depends on you.

III. " I do not exhort you, Romans, to repel the in-
" justice and violence of your adversaries with arms,
" as your forefathers often did. There is no occasion
" for using force, or abandoning the city. Their
" ruin shall be the work of their own hands. After
" Tiberius Gracchus, who, as they tell the story,
" was for making himself King, had been killed,
" cruel enquiries were made against the People. The
" murders of C. Gracchus and M. Fulvius were
" followed with the imprisonment and deaths of many
" of you. It was not the authority of the laws, but
" the mere caprice of your enemies, that determined
" these two bloody executions. Admit, that to un-
" dertake to re-establish you in your rights, was actu-
" ally a design formed to make themselves Kings.
" Admit also, that not being able to prevent that ef-
" fect without shedding abundance of blood, they did
" so legally. But with what pretext can they colour
" their rapines and depredations ? Do you remember
" with what secret indignation you have seen for
" years past your revenues dissipated, Kings and free
" States pay tribute to a few Patricians, and the same
" men assume to themselves both riches, and the
" splendor of dignities. They did not stop there.
" Impunity rendered them still more bold and enter-
" prizing. In a word, the laws, the majesty of the
" Commonwealth, all things sacred and profane, have
" been given up to the enemy. And the authors of
" all these excesses know neither shame nor repentance
" of them. They strut before you, tossing up their
" heads, with pompous and magnificent trains, dis-
" playing their Pontificates, Consulships, and some
" of them their triumphs : as if all this argued true
" merit, and not insatiable ambition. Slaves, bought
" for money, cannot bear the unjust rule of their
" masters : and you, Romans, born to command,
" suffer slavery without emotion. But who then are
" those

“ those that have thus usurped the Commonwealth?
 “ The vilest of wretches, murderers, in whom enormous
 “ avidity for money disputes the preference
 “ with inhuman cruelty and barbarity; and who, with
 “ all this, are puffed up with pride and haughtiness:
 “ in a word, men void of faith, honour, probity,
 “ who make a traffick of every thing, even of the
 “ most sacred duties. Some of them have killed
 “ your Tribunes; others have persecuted you with
 “ oppressions and merciless prosecutions; most of
 “ them have imbrued their hands in your blood: and
 “ they consider their crimes as their strength and
 “ great defence. The most criminal of them are
 “ those, who for that very reason believe themselves
 “ the most secure. Instead of their crimes keeping
 “ them, as they ought, under continual dread, your
 “ indolence has given them occasion to make terror
 “ go over to your side. United by the same desires,
 “ the same enmities, and the same fears, they continue
 “ firmly attached together. But what is amity
 “ amongst the good, ought to be called conspiracy
 “ amongst the vile. If you were as zealous for preserving
 “ your liberty, as they are for establishing
 “ their sway, the Commonwealth would certainly not
 “ be given up to be plundered as it is, and your
 “ favours would be the reward of true merit, not
 “ the prey of audacious guilt. Your ancestors retired
 “ twice to Mount Aventine, to establish their
 “ rights, and secure the dignity of their order: and
 “ will not you, by their example, spare no efforts
 “ for preserving that liberty which they have transmitted
 “ down to you? You are the more obliged to
 “ this, as it is most shameful to lose that we possess,
 “ than never to have possessed it at all.

“ Somebody may ask, what then I conceive it necessary
 “ to do? It is, severely to punish those who
 “ have betrayed the Commonwealth, not by employing
 “ violence against them; they well deserve it,
 “ but methods of force do not suit the Roman
 “ People. There are tribunals and laws. Decree

A. R. 641.
Ant. C.
111.

“ enquiries, in order to assure yourselves of the truth
“ by certain proofs, and the testimony of Jugurtha
“ himself. If he has made his submission in earnest,
“ he will obey your orders : if he despises them, you
“ will know from thence what you ought to think of
“ this pretended peace and submission, which will
“ only have served to secure Jugurtha’s impunity for
“ his crimes, to enrich considerably a small number
“ of the Nobility, and, not to mention the infinite
“ evils which will be the effect of them, to cover the
“ Commonwealth with shame and reproach.

“ And are you then not yet tired of their unjust
“ sway? You have, during many years, seen king-
“ doms, provinces, laws, judgments, justice, war,
“ peace, in a word, all things human and divine, in
“ the hands, and at the mercy, of a small number of
“ men; whilst you, hitherto invincible in respect to
“ your enemies, Lords of all nations, (for that is the
“ idea we have of the Roman People) you, I say,
“ are contented to be suffered to protract an obscure
“ and languishing life. For as to any thing of sla-
“ very, which of you has dared to refuse complying
“ with it?

“ For the rest, though I am convinced that it is
“ extremely shameful for a man of courage to suffer
“ injuries with impunity, I should willingly consent,
“ that you pardoned these vile wretches, because
“ they are your fellow-citizens, if I did not foresee
“ that your clemency would prove fatal to you. The
“ love of their crimes are too deeply rooted in them.
“ They will not be contented with impunity for the
“ past; and if you do not deprive them of the power
“ to do ill for the time to come, you will live in
“ eternal disquiet, always between the two extremes,
“ either of being reduced to suffer a shameful sla-
“ very, or of employing the force of arms in defence
“ of your liberty.

“ For do not imagine, that you can ever rely
“ upon their fidelity, or that any sincere and solid
“ union can ever subsist between them and you. They
“ will

“ will reign, and you will be free. They pretend
 “ to exercise all kinds of injustice, and you are de-
 “ termined to oppose them. In short, they treat
 “ your allies as enemies, and your enemies as allies.
 “ Is it possible, whilst your sentiments are so oppo-
 “ site, that you should live together in peace and a
 “ good understanding? I invite and exhort you there-
 “ fore not to suffer so detestable a fact as that which
 “ has lately been perpetrated in the affair of Numidia
 “ to pass with impunity.

A. R. 647.
 Ant. C.
 111.

“ The question at present is not peculation nor
 “ extortion, certainly very great crimes, but become
 “ so common that they are now reckoned as nothing.
 “ The authority of the Senate, and the majesty of
 “ the Roman People, have been prostituted to an
 “ audacious enemy. The good, the honour of the
 “ State have been sold for money in your army, and
 “ in the midst of Rome itself. If a commission be
 “ not appointed to enquire into this whole intrigue,
 “ if the guilty are not punished, what have we left
 “ to chuse, except to submit to tyranny? For to
 “ commit whatever crimes one will, is to be a tyrant.
 “ It is not for the sake of having the pleasure of re-
 “ venge, you ought to desire that your fellow-citi-
 “ zens may rather be found guilty than innocent :
 “ but you ought to fear, that whilst you are for
 “ saving the bad, you should destroy the good. And
 “ further, the oblivion of good actions is not of so
 “ dangerous a consequence in a State, as the oblivion
 “ of bad ones. The man of probity, when he sees
 “ himself neglected, becomes only less warm and
 “ active for good : but the villain from thence be-
 “ comes more bold and determinate for evil. No-
 “ thing is of greater importance than to check crimes
 “ by severity. If violence and injustice were not
 “ committed, there would be no occasion for any aid
 “ in order to live in peace.”

Memmius, by often making the like representations
 to the People, prevailed to have L. Cassius, then
 Prætor, sent into Numidia, with instructions to bring
 Jugurtha

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111.

Jugurtha to Italy, under the guaranty of the Roman People, in order to his being interrogated; and that from his answers the truth of the facts, of which Scaurus and the others were suspected, might be cleared up.

Whilst these things passed at Rome, those whom the Consul had left to command the army in his absence, imitated the conduct and example of their General, and committed all kinds of extortions and enormities. Some, corrupted by Jugurtha's gold, returned him his elephants: others gave him up the deserters, for which they made him pay a great price: many enriched themselves by plundering people with whom they were not at war; so * much had avarice, like a pestilential disease, infected them all!

The decree of the People, which commissioned Cassius to bring Jugurtha to Rome, had spread consternation amongst the Nobility. He soon arrived in Numidia, and found Jugurtha himself very much alarmed. He however persuaded him, without much difficulty, to chuse rather, as he had submitted to the Romans, to make trial of their clemency, than to draw their arms upon him. He † promised that Prince entire security in his own private name; an assurance on which Jugurtha relied no less than on the publick faith. So great was the general opinion, says Sallust, of Cassius's probity. Let us add: and it is in this manner that even vice and guilt cannot help paying homage to virtue. The manner in which our historian speaks of this Cassius, gives us reason to believe he was the same person who was appointed to rehear the cause of the Vestals, of which we have spoken above; though there is some difficulty in respect to these Prætorships so often reiterated.

Jugurtha arrived at Rome, not with the magnificence of a King, but in the mournful equipage of a

* Tanta vis avaritiæ in animos eorum, veluti tabes, invaserat!

† Privatum præterea fidem suam interponit, quam ille non minoris, quam publicam ducebat.

person accused. However intrepid he was in himself, and whatever protestations of service his friends and protectors could make him, he could not help being anxious for the event of his affair. But having been so successful to bring over the Tribune C. Bæbius by presents of money, one who had impudence enough to support him against the evidence of truth and justice, he was entirely at ease.

Memmius assembled the People, who trembled with indignation against the King. Some were for having him dragged to prison: others demanded, that if he would not discover his accomplices, he should be punished according to the laws as an enemy to the State. The Tribune, far from giving in to the impetuous emotions of a People inflamed with rage, acted with great dignity, appeasing their fury, checking their violence, and protesting that he would never suffer the publick faith to be infringed.

When silence was made, and Jugurtha had been ordered to appear, the Tribune repeated the crimes committed by that Prince both at Rome and in Numidia, whether against his father by adoption, or his brothers; and, addressing his discourse to him, he added: That though the Romans well knew his accomplices, they were desirous to be again assured of them from his own mouth. That if he declared the truth, he might hope every thing from the faith and clemency of the Roman People: but if he concealed it, he would not save his accomplices, and would ruin himself. When Memmius had made an end of his discourse, he ordered Jugurtha to reply. Bæbius, on the other hand, (the Tribune corrupted by Jugurtha, as we have said above) forbade him to speak. The People, extremely intensed, testified by tumultuous cries, menacing looks and gestures, and all other marks of rage, the impatience with which they suffered this proceeding of the Tribune. Bæbius audaciously persisted in his first conduct. Thus the People, insulted by their own magistrate, and become the sport of an impudence that had no example, saw the
assembly

A. R. 641.
Ant. C.
111.

assembly break up without concluding any thing. This was a triumph for the King, Calpurnius, and all the rest, who extremely apprehended the consequence of this information. The boldness with which this success had inspired Jugurtha, soon manifested itself.

A. R. 642.
Ant. C.
110.

M. MINUCIUS RUFUS.

SP. POSTUMIUS ALBINUS.

There was at that time a Numidian Prince at Rome, called Massiva, the son of Gulussa, and grandson of Masinissa, who had openly declared against Jugurtha in the quarrel of the Kings, and who, for that reason, after the taking of Cirta, and the murder of Adherbal, had fled, and quitted Africa. The Consul Albinus, to whom the province of Numidia had fallen, and who for that reason desired that the war there might break out again, advised that Prince to demand Jugurtha's kingdom. The latter was apprized of this, and caused Massiva to be assassinated in the midst of Rome. The murderer was seized, and put into the hands of justice. He confessed every thing to the Consul Albinus, and particularly, that it was Bomilcar, Jugurtha's near relation and confident, who had engaged him to commit this murder. As Bomilcar had come to Rome with Jugurtha, the law of nations seemed to refuse him against prosecutions. An accusation was however laid against him, and it was believed that the laws of justice would take place on this occasion against all other considerations. Fifty of the King's friends offered to be security for him, obliging themselves to appear for him when it should be necessary. Jugurtha, convicted as he was of so black an action, had however the boldness to keep his ground still for some time, always assuring himself, that he should extricate Bomilcar by the help of his friends. But he found, that the crying enormity of such a murder was above all his credit, and all his gold and silver. He made Bomilcar fly, and soon followed

followed him; the Senate having signified to him, that he should quit Italy immediately. He accordingly set out; at which time he said several times, looking back upon the city, “ * That Rome wanted only a purchaser to sell herself, and would soon perish if such an one could be found.”

A. R. 642.
Ant. C.
110.

S E C T. II.

Jugurtha eludes the attacks of the Consul Albinus. Reflexion of Sallust upon the present state of Rome. Metellus is charged with the war of Numidia. He makes choice of Marius for one of his Lieutenants. On his arrival in Africa, his first care is to re-establish discipline in the army. Jugurtha sends Deputies to Metellus: who engages them to deliver up their master to him. Metellus marches his army into Numidia with great precaution. Jugurtha, finding himself amused, resolves to defend himself by arms. Battle, in which that Prince is defeated. He raises a new army. Metellus ravages the whole flat country. Jugurtha surprizes part of the Roman army. Great joy at Rome for the victory gained over Jugurtha. New vigilance of the Consul to prevent being surprized. Jugurtha continues his skirmishes. Metellus besieges Zama. During the winter-quarters he endeavours to bring over Jugurtha's confidants. The King, betrayed by Bomilcar, consents to surrender at discretion to the Romans. Deprived of every thing, he again takes up arms. Metellus is continued in the command. Jugurtha prepares for the war. The inhabitants of Vacca massacre the Roman garrison. It is put to fire and sword by Metellus. Origin of the enmity between Marius and Metellus. Beginnings of Marius. His birth. His education and character. He makes his first campaigns under Scipio Africanus, and acquires his esteem. He is created a military Tribune; and afterwards Tribune of the People. He causes a law to pass, notwithstanding the opposition of the Senate. He

* Urbem venalem, & maturè perituram, si emptorem invenerit.

prevents a largess, which one of his Collegues is for giving the People. He suffers two repulses in one day. He is chosen Prætor with great difficulty, and accused of caballing for that office. He marries Julia. His fortitude against pain. He is chosen Lieutenant General by Metellus. His conduct in that employment. Metellus refuses him permission to go to Rome to demand the Consulship. Marius decries Metellus. Conspiracy of Bomilcar against Jugurtha discovered. He is put to death. Extreme dread and trouble of Jugurtha. Metellus grants Marius his discharge. Marius is elected Consul. The war against Jugurtha is confided to his care. Cicero's opinion of the means used by Marius for attaining the Consulship. Jugurtha's perplexities. Battle, in which he is defeated. He retires to Thala, and quits it soon after. The place is besieged, and taken by the Romans. Jugurtha arms the Gætuli. He engages Bocchus to declare against the Romans. The two Kings march towards Cirta. Metellus repairs thither also. Grief of Metellus when he receives advice that Marius is appointed to succeed him. He holds a conference with Bocchus by Deputies.

A. R. 642.
Ant. C.
110.

THE war is renewed again. The Consul Albinus, who was to return to Rome to preside at the election of magistrates for the year ensuing, hastened his departure for Africa, in order to terminate the war as soon as possible, either by arms, a treaty, or some other way. But Jugurtha, on his side, expecting every thing by gaining time, sought only how to protract it. Sometimes he promised to surrender, and then professed distrust. Sometimes he fled before the Romans, and at others, not to discourage his army, harrassed them vigorously. Thus, between delays, and the slow alternative of negotiation and war, he amused the Consul, and eluded all his efforts. Whether through negligence, or connivance, for he was suspected of it, Albinus succeeded very ill.

The approach of the time for the elections obliging him to return to Rome, he left his brother Aulus to command the army in quality of Proprætor. Jugurtha had much more advantage from him than from the Consul. He had no merit, and his self-sufficiency made him unconscious of his incapacity. The blind desire of enriching himself induced him to form the siege of Sutul in the midst of winter, a very strong place, situated upon the brow of a steep mountain, and surrounded with a marsh, in which the King kept part of his treasures. The dissimulated fear of that Prince, who sometimes caused proposals of accommodation to be made to him, and sometimes fled before him, still more increased his blindness. Jugurtha, long accustomed to artifice and stratagem, acted his part so well, that he induced him to raise the siege of Suthul, in order to follow him into a remote region, where he gave him hopes of transacting in secret with him. And, what is almost incredible, he brought over by his emissaries not only part of the Proprætor's auxiliary troops, but even some of the Romans, who promised to serve him on occasion. Accordingly, upon Jugurtha's attacking the camp of Aulus in the night, some companies of Ligurians and Thracians went over to his side: and a Roman officer, the first Captain [Primipilus] of a legion, delivered up to the enemy the part of the intrenchment where he commanded. The camp was taken and plundered: and all that Aulus could do, was to retire with part of his troops to an adjacent eminence. The next day it was necessary to come to a composition. Jugurtha, not contented with having overcome, was also for insulting; and in a conference which he had with the Proprætor, with feigned moderation, he told him, that though he had him inclosed on all sides, and it was in his power to destroy both himself and his whole army, either by famine or the sword; however, reflecting that the success of arms was precarious and transitory, and human things subject to many vicissitudes, if Aulus would make peace, he would dismiss

A. R. 642. them all with their lives saved, after having made
 Ant. C. them pass under the yoke, and upon condition that
 110. they should quit Numidia in the space of ten days.
 However hard and ignominious these conditions were,
 the fear of death, which seemed inevitable, made
 him accept them.

When this news arrived in Rome, it occasioned great consternation. Some lamented the disgrace of the Roman name by so shameful a peace; and others even apprehended the consequences of the advantages gained by the Numidian. All in general, and especially the military persons, censured Aulus with contempt and indignation, for having chose rather to owe his safety to cowardice than to courage, whilst he had arms in his hands. The Consul Albinus, apprehending that he should be made accountable for his brother's conduct, proposed to the Senate to deliberate upon the treaty which had just been concluded. It was declared void, as having been made without the authority of the Senate and People. The Consul, not having it in his power to carry the troops he had levied along with him, because the Tribunes opposed it, set out however for Africa. His army, in execution of the treaty, had quitted Numidia. He found it in such disorder and irregularity, occasioned by the licentiousness that prevailed in it, that he was afraid to make it march against Jugurtha, though he much desired it, to obliterate the disgrace of the treaty concluded by his brothers.

At Rome, however, the Tribune Mamilius Limetanus proposed to the people the decreeing a commission, for informing against those who had emboldened Jugurtha to despise the orders of the Senate; who had received money from him whilst Ambassadors, or in the command of armies; who had restored him his elephants and deserters; and lastly, who had made conventions with the enemy concerning war and peace. Many, who were under apprehensions for themselves or their friends, underhand and secretly opposed this law; for to have done it openly, would have been to
 have

have confessed themselves guilty. But the People shewed an extraordinary constancy upon this occasion; less through zeal and affection for the publick good, than hatred for the Nobility, who dreaded this law: so violent was then the dissension between the two orders. It was therefore decreed, that three Commissioners should be appointed to preside in preparing the proceedings against all such as should be within the cases mentioned in the law, and to bring them to trial.

Scaurus had sufficient credit to get himself admitted into the number of these Commissioners, though he ought rather to have appeared as one of the accused, than as one of the judges: but the affair was however carried on with no less vigour. Four persons of Consular dignity were condemned; Calpurnius, Albinus, Opimius, and C. Cato. Neither Sallust, nor any other author, tells us what part the last had acted in the intrigues of Jugurtha. We have already seen him condemned on account of extortions: but, without making much interest, only slight penalties had been laid upon him. On this occasion he was banished, as well as the three others first named. There were also many others condemned of a less illustrious rank, but however persons of distinction; and in particular C. Galba, who was the first citizen, invested with a publick priesthood, who had been found guilty on a criminal accusation. These were a kind of reprizals taken of the Nobility by the order of the People, who from the death of the Gracchi had not been able to surmount oppression. It is no wonder that Cicero exclaims against these condemnations, and treats them as iniquitous; as Sallust, who always favours the party of the People against the Nobility, agrees, that popular rumours, and the caprice of the multitude, had a share in the judgments given upon this occasion. This is not to infer, that all who were condemned were innocent. He has himself particularized the bad dealings of some. But in general it was the spirit of party, that directed the

A. R. 642.
Ant. C.
110.

Cic. Brut.
127, 128.

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Ant. C.
110.

judges, more than the love of justice. The reader may turn back to the end of the history of the Gracchi, for what we have observed concerning the condemnation of Opimius.

This event gives Sallust occasion to make a digression upon the origin of the furious animosities which tore the city, and at length became bloody wars. We must first observe, as that historian has done elsewhere, that the civil dissensions are as ancient in Rome as liberty. But besides that the quarrels of ancient times always terminated with moderation and concord, there had been a very long calm, in which the two orders perfectly concurred in their endeavours for the publick good. That time, which may well be called the Golden Age of the Roman Commonwealth, continued from the second Punic war to the taking of Carthage. The factions then not only began to revive, but became more violent than ever. It is this period Sallust has in view in the reflexion, which I proceed to give the reader.

“ It is,” says he, “ only some years since furious divisions arose between the Senate and People, and factions carried to the last excesses on both sides : and these evils have no other origin than the leisure of peace, and the abundance of all that men consider as their greatest good. Before the destruction of Carthage, the two bodies of the State, treating each other without violence and passion, were in good intelligence with respect to the management of affairs. Neither the love of glory, nor the desire of rule, armed the citizens against each other. The fear of the enemy kept every thing within bounds. When Rome was no longer under that check, licentiousness and pride, the usual effects of prosperity, were introduced into the city. Thus the tranquility and leisure which adversity had made her desire with so much ardor, when she had obtained it, became more fatal to her than all the calamities of war. The Nobility on one side made their preheminance, and the People on the other their liberty, serve as pretexts

for their unjust pretensions. So that whilst each aimed at the mastery, and was for engrossing it all to itself, the Commonwealth, situated in a manner between the two factions, was torn in pieces by that division. For the rest, the party of the Nobility continuing always united, had most strength: whereas that of the People, divided into an infinite number of heads, and not having any common tie, was much less powerful. Both in war and peace, every thing passed through the hands of a small number of the Nobility. They had the disposal of the publick revenues, of the governments of provinces, the great offices; honourable rewards and triumphs. Whilst the Generals divided the spoils taken from the enemy with a few persons, the People were depressed under the fatigues of military service, and the miseries of poverty; and it often happened, that the fathers or children of soldiers, if they had the misfortune to live in the neighbourhood of the Great, were driven out of their houses, and deprived of the little lands they had. Thus avidity, continually increasing with power, knew neither bounds nor measure. Every thing became the prey of the strongest. The Nobility violated the most sacred rules, and sacrificed all things to the desire of gratifying themselves, till by their excesses they drew upon them avengers out of their own bosom."

By this Sallust means the Gracchi, of whose views he speaks with great esteem: and after having related their unhappy end, he adds: "We must own, that the desire of getting the better of their adversaries carried them too far, and that they did not act with moderation enough. For * it is better to be worsted with the right, than to overcome injustice by bad means. The Nobility, on their side, tyrannically abusing their victory over the Gracchi, either put to the sword, or banished, a great number of the citizens; and by those violences made themselves more

A. R. 647.
Ant. C.
110.

* Sed bona vinci satius est, quam mala more injuriam vincere.

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Ant. C.
119.

dreaded, than they augmented their power. The absolutely reducing enemies at any price whatsoever, and after having so reduced them, exercising the utmost vengeance possible upon them, is what occasions the ruin of the most powerful States."

It is remarkable that historians, as if in concert, ascribe the ruin of manners and discipline in Rome to its too great power, the increase of its riches, and to luxury, the inevitable consequence of them. They fix the epocha of this fatal change at the destruction of Carthage. I have repeated in the history of the third Punic war a passage from Velleius Paterculus, entirely conformable to what Sallust observes here. I return now to my subject.

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Q. CÆCILIUS METELLUS.

M. JUNIUS SILANUS.

People * began to conceive great hopes of the war of Numidia, when the conduct of it was given to Metellus. That Consul had all the qualities that can render a man estimable: but particularly a perfect, and absolutely incorruptible disinterestedness; the most essential quality at that time against such an enemy as Jugurtha, who hitherto had made more use of money than the sword for conquering. The choice Metellus made of two excellent Lieutenant-Generals, Marius and Rutilius, confirmed the idea conceived in his favour; and the happy presages People formed to themselves of his success. And indeed, the best concerted designs often miscarry through the bad choice of officers, when intrigue and cabal directs it. We shall soon give some particulars of what relates to Marius. We are now going to follow the thread of our history.

* In Numidiam proficiscitur, magna spe civium, cum propter artes bonas, tum maxime, quod adversum divitias invictum animum gerebat & avaritiâ magistratuum ante id tempus in Numidia nostræ opes contusæ, hostiumque auctæ erant.

When Metellus arrived in Africa, he found the army in a deplorable state, plunged in idleness, little enured to war, fearing both danger and labour, more valiant in word than action, dreadful to the allies, contemptible to the enemy; in a word, without either discipline, rules, or obedience. This disposition of the army gave the new General more pain than the number of the troops did confidence. Though he knew that Rome impatiently expected the news of what passed in Africa, he however resolved not to begin the operations of the war, till he had reformed the army according to the rules of the ancient discipline. He * acted in this like a man of superior genius, observing a wise medium between excessive rigour, and popular indulgence.

The first orders which he gave, were in respect to retrench whatever conduced to intemperance and effeminacy. He forbade his soldiers to have either slaves or carriage-horses in the camp or upon a march; servants to follow it; and all persons whatsoever to sell either † bread or meat ready dressed within the camp. As to every thing else, he reduced it, as much as possible, to the simply necessary. He did not keep his troops long in one place. He made them countermarch, and incamp and decamp continually. He obliged them to intrench themselves with as much care as if they had always been in view of the enemy. He often relieved the guards, which he visited in person with his principal officers, to keep every body in their duty. In marching, he was seen every where, in the front, the centre, the rear; taking care that the soldiers should keep their ranks, march always under their colours, and carry both their arms and provisions. ‡ By this means, he soon re-established

* Sed in ea difficultate Metellum non minùs, quàm in rebus hostilibus, magnum & sapientem virum fuisse compertior: tantà imperantiâ inter ambitionem sævitiamque moderatum.

† Every soldier carried corn for twelve or fifteen days, and ground and made bread of it himself.

‡ Ita prohibendo à delictis magis, quàm vindicando exercitum brevi confirmavit.

A. R. 643. discipline, making use of an admirable principle; rather to prevent, than punish, faults.
 Ant. G.
 109.

When Jugurtha was informed how Metellus behaved, he was exceedingly anxious. Besides which, he had been told from Rome, that presents would be of no effect with that General. That resource failing, which had hitherto been of such service to him, it was necessary to try other methods. He sent Deputies to Metellus, who asked no other conditions but life for that Prince and his children, adding, that for the rest, he submitted entirely to the Roman People. The Consul had already experienced that there was no trust to be reposed in the Numidians, who were naturally capricious, inconstant, and treacherous. He thought, that with a deceitful perfidious Prince, it was allowable to use fraud and stratagem. He sounded his Deputies separately, and finding them all inclined to do what he desired, he proposed, and effectually persuaded them, to deliver up Jugurtha to him alive or dead. This conduct was little generous, and shews that in the times of which we are speaking, the most deserving persons had some tincture of the corruption of manners. Metellus, the better to cover his design, gave the Deputies a favourable answer in publick, and room to amuse their master with good hopes.

Some days after he set out from the Roman province, that is, the part of Africa subject to the Romans, and marched his army into Numidia. He found every thing there in the same state as if there had been no war; no houses abandoned, the flocks and herds with their keepers, the husbandmen in the midst of their fields, and the Prince's officers coming from the towns and villages to offer corn and provisions, and to do every thing they should be commanded. Metellus, notwithstanding, spared nothing of his vigilance. He marched in the same good order, and was no less upon his guard, than if the enemy were in view. In a word, he took all possible precautions, knowing that these appearances of peace might

might cover stratagems and ambuscades. And indeed Jugurtha was of such ability and art, that it was hard to say, whether he was more to be trusted at a distance, than when near; when he made war openly, or seemed to desire peace.

Metellus continued his march, and arrived near a city called Vacca. It was the greatest place of trade in all Numidia. He put a garrison into it, either to take the advantage of the place, or to know, by that step, the real disposition of Jugurtha.

However, new envoys came perpetually from that Prince, who earnestly solicited peace, and, as before, offered to surrender every thing to the Romans; provided they would grant himself and his children their lives. The Consul received them as he had the first; that is, persuading them to betray their master; after which, he sent them back to Jugurtha, without either promising or refusing him peace: and in the intervals, he expected the success of what he had negotiated with these envoys.

The artificial Jugurtha perceived that his own example was followed against himself, and that he was attacked with his own arms, that is, by stratagem and deceit; as in reality Metellus's words did not agree with his actions; and at the same time he was given hopes of peace, a cruel war was made against him. He therefore determined, as he had no other resource, to defend himself with arms.

He assembled numerous forces, and observing the march of the Romans, posted himself so as to be able to attack them with advantage. When they came to a battle, the Numidians had the superiority at first from the situation of the place, where they lay in ambush; but the Romans soon resumed courage. The King and the Consul shewed all the bravery and ability that could be expected from two of the greatest Captains of those times. Metellus had the superior valour of the soldiers on his side, but the disadvantage of the place. Every thing favoured Jugurtha, except the nature of his troops, which were much inferior

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ferior to the Roman legions. At length valour prevailed, and the Consul remained master of the field of battle. At the same time, and at a small distance from thence, there was another action, between Bomilcar and Rutilius, and with the same success; so that the Romans were entirely victorious.

Metellus encamped four days upon the place where he had given battle. He took care of the wounded, honoured those with gifts who had distinguished themselves in the action, highly praised the whole army, and exhorted the troops to finish the campaign with the same courage; adding, that they had done enough in respect to victory, and that all that remained was to gather the spoils, which were the just reward of it.

However, he sent out spies to know where Jugurtha was, what his designs might be, what remainder of troops he had, and what aspect they had after his defeat. They brought advice, that he was retired into places covered with woods, and of difficult access; and that he was raising an army there more numerous than the first, but little enured to war, and composed of husbandmen and shepherds. It is no wonder that he was reduced to make new levies. Amongst the Numidians only those who formed the King's guards followed him in the defeat. All the rest dispersed as they thought fit, without being deemed criminal; for that was the custom of the nation.

When Metellus saw that he was upon the point of being obliged to begin a war again, in which he would have enemies to deal with, who always took advantages from the knowledge they had of the country, and who even, when defeated, lost less than the victors; he conceived that it was necessary for him to change his plan, and not to come to a battle. But he entered the richest provinces of Numidia, ravaged the whole flat country, took and burnt abundance of towns and castles little fortified and without garrisons, put all to the sword that were capable of bearing

bearing arms; and for the reſt he abandoned every thing to be plundered by the ſoldiers. The terror which he ſpread by theſe cruel hoſtilities, occaſioned hoſtages to be ſent him from all parts. Corn and munitions of all kinds were ſent him in abundance, according to his order, and Roman garrifons were received every where.

Jugurtha, more terrified by this new manner of making war, than the defeat which had preceded it, however did not loſe courage, and had recourſe to his uſual ſtratagems. He left the greateſt part of his army in his camp, and with the flower of his cavalry, followed Metellus in the rear. The better to ſurprize him, he marched in the night, and through by-ways; ſo that whiſt the Romans believed him far diſtant, and were diſperſed in great numbers about the country, he fell ſuddenly upon them with great vigour. Moſt of them were unarmed. He killed many, and took a great number of priſoners. Then, with as much circumſpection as valour, he retreated to the neighbouring hills with his Numidians, according to the deſign he had formed, and the orders he had given before the battle.

Whiſt all this paſſed, the news of the Conſul's firſt ſucceſs arrived at Rome. It was heard with great joy, that Metellus had reſtated the ancient diſcipline in his army; that he had gained a victory in a diſadvantageous poſt; that he was in poſſeſſion of the enemy's country; and that Jugurtha, ſo elate before from the defeat of Aulus, now ſaw himſelf reduced to ſeek his ſafety by flight. It was decreed by the Senate that ſolemn thankſgivings ſhould be made to the gods, and the whole city univerſally praiſed the merit of Metellus.

This made the Conſul more intent upon his duty. He knew that glory generates envy. The more reputation he acquired, the more he laboured to ſuſtain it. He made haſte to terminate the war; but however took no falſe meaſures through impatience, and gave the enemy no room to take advantages. Since
Jugurtha's

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Jugurtha's last surprize, he did not suffer his troops to straggle. When it was necessary to bring in forage or provisions, those who were sent for them, were always supported by a good body of infantry with all the cavalry. He had divided his forces: he commanded one part of them himself, and gave the other to Marius. Thus there were always two bodies of troops, at a small distance from each other. They joined when it was necessary to give battle; but without that, they kept different routes, in order to carry terror and desolation into a greater extent of country. For the rest, they burnt every thing in the country, and scarce gave themselves the trouble to plunder it.

Jugurtha followed the Romans upon the hills, and sought times and places for attacking them with advantage. He laid waste the country wherever he foresaw the enemy were to pass. He burnt the forage, and spoiled the water of the springs, which are very rare in these regions. He sometimes incommoded Metellus, and sometimes Marius. He charged their rear-guards from time to time, and immediately after regained his hills. He made feints of sometimes attacking one body, and then the other. Thus, without hazarding a battle in form, he kept them in continual alarm, incessantly harrassing them, and breaking all their measures.

The Consul finding himself fatigued by the stratagems of the Numidian, was obliged to think of coming again to a battle. But Jugurtha industriously avoided it. To force him to it, Metellus resolved to attack Zama, a very strong place, situated in the western part of Numidia; conceiving that Jugurtha would at any rate prevent the taking of so important a place, which might bring on an action. That Prince, having discovered the Consul's design by deserters, marched with so much diligence, that he was there before him. He went to Zama to exhort the inhabitants to make a good defence; and to reinforce their garrison, he left them all the Roman deserters in
his

his army, entirely relying on their fidelity, because they could expect no quarter from Metellus. Besides this, he promised the people of that great city, that, at the proper time, he would not fail to come to their aid with powerful forces.

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109.

After having thus given his orders, he retired into places out of the common way, watching the motions of the enemy. He was informed, that Marius was detached from the gross of the army with some cohorts to fetch in corn, and convoy it to the camp. He fell suddenly upon him. But the valour of the Roman troops, and good conduct of their commander, prevented confusion; and Jugurtha missed his aim.

Marius arrived before Zama. It was a city situated in a plain, less fortified by nature than art, but well furnished with all things necessary for sustaining a siege. Metellus invested it, and having posted each of his Lieutenant Generals, he assaulted the place. The Roman army, according to custom, began by raising great cries on a sudden, and on all sides. The Numidians were not daunted by them. They seemed prepared to make a good defence. The attack was begun. The Romans discharged abundance of darts and stones. Sometimes they endeavoured to sap the wall, and sometimes to scale it. They were eager to join the enemy, and come to blows with them. The besieged, on their side, showered great pieces of stone, beams, javelins, and melted pitch mixed with sulphur, upon them. Such of the Romans, who kept a distance through fear, were not safe from wounds. Darts either discharged with the hand, or by machines of war, reached them every where. * Thus the cowardly shared the danger with the most valiant, but not the glory.

Whilst they were fighting in this manner around the walls of the city, Jugurtha, well attended, came suddenly on to attack the Roman camp, where no-

* Parique periculo, sed fama impari, boni atque ignavi erant.

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thing was less expected, and having pushed the guard, he forced the gates. The troops were soon in disorder. Many were killed and wounded. The greatest part fled. Metellus, who was assaulting the place with ardour, hearing the noise of fighting behind him, immediately faced about, and saw the troops flying towards him. He instantly detached all the cavalry to the camp, and made Marius follow with part of the Latine infantry. Jugurtha, on their approach, retired.

The next day, Metellus, before he gave a new assault to the place, posted all his horse around the lines: he then advanced to Zama. Jugurtha returned to the charge. But as preparations had been made to give him a good reception, his attack did not interrupt the assault which the Romans were giving the place, who fought at the same time on both sides with vigour. The besieged, from the top of the walls, saw all that passed round the lines, and with anxiety watched the advantages and disadvantages of Jugurtha. Marius, who remarked this from the side where he commanded, desiring entirely to turn their attention to the object on which it already was partly fixed, for some time abated the efforts of his soldiers, as if despairing of success. Then on a sudden he caused the ladders to be planted, and attacked the walls with more vigour than ever. The Romans had almost carried the parapet, when the inhabitants poured a storm of stones, fire, and darts upon them. This was not all. Some of the ladders being broke, those who were on them were dashed to pieces in their fall, and the rest got off as well as they could, most of them wounded. Night put an end to this assault, and also obliged Jugurtha to retire.

Metellus considering that the summer drew towards an end; that the city seemed still in a condition to defend itself a great while; and that Jugurtha fought only by skirmishes and ambuscades; resolved to raise the siege. He put garrisons into the cities that had revolted from the King; after which he
went

went into winter-quarters in the Roman province, upon the frontier of Numidia.

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He did not devote this interval to idleness and pleasures, as other Generals often did: and keeping Jugurtha always in view, he formed new designs for effectually putting an end to the war. He would have been highly praise-worthy if he had employed only honourable methods. But we have seen that he was not scrupulous in that point. Every means for succeeding was just to him. He therefore proposed to surprize an enemy he could not reduce by force; and in order to that, to bring over those in whom he placed most confidence, and to engage them to betray him. Bomilcar, who was the intimate confident of the King, seemed to Metellus more capable of serving him in his design than any other. He caused proposals to be made to him: he had even a secret interview with him: and as that Numidian had actually incurred the justice of Rome, been prosecuted as a criminal, as we have said above, for the murder of Massiva, and had escaped by flight, the Consul promised him, that if he would deliver up Jugurtha alive or dead, the Senate would not only pardon his crime, but assure to him the possession of his whole estate. Bomilcar suffered himself to be easily persuaded; whether his genius was naturally inclined to perfidy, or that he feared, on the concluding of a peace, his punishment would be one of the conditions.

He therefore did not let slip the first occasion that offered. One day, perceiving Jugurtha anxious about the present state of his affairs, he accosted him, and with tears in his eyes, conjured him, "to take pity on himself, his children, and the whole Numidian nation, who had served him so well. He represented to him, that the events of all their battles had been fatal to them; that the country was laid waste; that great numbers had been killed and taken prisoners; and that the whole kingdom was either impoverished or ruined. That he had made sufficient proof of the

A. R. 643. valour of his people, and fufficiently tried fortune.
 Ant. C. That, in a word, it was to be feared, whilst he was
 109. deliberating, that the Numidians would chufe for
 themselves, and make an accommodation."

Jugurtha hesitated no longer. He difpatched Deputies to declare that the King made an entire fubmission, and resigned without condition, both himself and his kingdom to the faith and difcretion of Metellus. The Consul immediately affembled all the persons of the order of the Senators who were then with him: and in the council, which he held according to custom, with them, and some others, whose presence he thought proper at this deliberation, it was decreed, that Jugurtha should pay two hundred thousand pounds weight of silver, about five hundred thousand pounds sterling; that he should deliver up all his elephants, with a certain quantity of arms and horses. When this was executed, Metellus again ordered him to fend him all the deserters in chains. Most of them were actually delivered up: the rest, as soon as they were informed that Jugurtha intended to surrender himself, had escaped to King Bocchus, in Mauritania. They had done wisely. For Metellus rose upon the rigour usually exercised against deserters by the Romans. Many of them, as Appian tells us, he caused to be fixed in the ground to their middles, and in that condition to serve as marks for arrows and darts, and then to have fires made around them, whilst they were still alive.

When Jugurtha had been deprived in this manner of money, men, and arms, the Consul sent to him, to come in person and receive the orders which were to be given him. At that moment, all the horror of his past crimes presenting itself to his imagination, he began to fear, that the Romans would inflict the punishment upon him he deserved. Full of these sad thoughts, he was seized with terrible agitations and confusion of mind. There was no retreat from the distress to which he saw himself reduced. To resume arms after all the blows he had sustained, and in the de-

fenceless

SULPICIUS, AURELIUS, Consuls.

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fenceless condition he was in, seemed of all things the least practicable. The thoughts alone of the wretched state into which he was about to fall, from the throne into slavery, made him tremble. After having passed some days in these cruel uncertainties, he at length determined to renew the war.

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SERVILIUS SULPICIUS GALBA.

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M. AURELIUS SCAURUS.

Metellus was continued in the command of the army in Numidia, with the character of Proconsul.

Jugurtha prepared for war with great attention, without losing a moment's time. He assembled his troops; endeavoured, either by hope or fear, to bring back the places, which had quitted his party, to their duty; put those which had not revolted, into a condition of defence; caused the old arms to be mended, and new to be bought; solicited the slaves of the Romans, and even the soldiers, with money; and spared nothing that could conduce to a good defence.

We have said that Metellus, in the beginning of the preceding campaign, put a garrison into Vacca. The principal inhabitants, at the King's earnest request, and besides having always been well disposed in regard to him, formed a conspiracy against the Romans. It broke out upon the day of a solemn festival, when all the city were making merry, and the burghers had invited all the officers of the garrison to entertainments. The massacre was general. All the Roman officers and soldiers in the place were butchered. Only Turpilius, the Governor of the city, found means to escape.

The news of this massacre extremely afflicted Metellus. He set out at sun-set with the legion that was with him in winter-quarters, and all his Numidian cavalry. The desire of revenging so cruel a treachery, and the hopes of plunder, made them support the fatigue of a forced march with great spirit. They

R 2

arrived

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arrived about three in the morning before the city, which expected nothing so little. The punishment in a manner trod upon the heels of the crime. Every thing was put to fire and sword. The place, which was very rich, was abandoned to the soldiers. Turpilius was then cited before the council of war, as suspected of treason, and holding intelligence with the inhabitants of Vacca, who had spared him. The case was not in his favour; and he defended himself ill. Accordingly, though he was the particular friend of Metellus, who did his utmost to save him, he was condemned to be whipt with rods, and to lose his head.

It was on this occasion, that the misunderstanding between Marius and Metellus broke out. Marius was violent for the condemnation of Turpilius only because the General protected him. And some time after, the innocence of that unfortunate officer appearing, when every body declared the share they had in the Proconsul's grief, Marius took a malicious pleasure in insulting him, and boasting of having drawn down the wrath of the gods, avengers of the violated rights of hospitality, upon the head of Metellus.

Plut.
in Mar.

The * origin of this enmity was of a prior date. Marius, who was conscious of his superior merit, with which he united unbounded ambition, when Metellus had chose him one of his Lieutenant-Generals, did not consider himself as obliged to the Consul for an important employment, but as placed by fortune on a great theatre, where his talents might shine forth, and raise him to whatever was highest: and instead of labouring, like the other officers, for the General's glory, he took no pains but for his own; endeavouring to acquire esteem, and to turn the eyes of the army upon himself, in order thereby to raise himself to the Consulship, which was the height of his wishes. I believe it will not be disagreeable to

* This account of the beginnings of Marius, is the editor's.

the reader, if, after Plutarch, I give in this place a brief account of the first years, and rise of a man, who is going to have a great and illustrious part in our history, and is equally famous for his virtues and vices; for prosperity and adversity.

Marius was, as every body knows, a soldier of fortune, born * of very indigent and obscure parents. The place of his birth was Arpinum, or some village in the territory of that city. He passes in history for a native of Arpinum; and Cicero, who was of the same town, in more than one place, takes great honour to himself from such a countryman, and boasts the glory of his native city, which had given two deliverers to the Commonwealth, Marius and himself.

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Cic. de
leg. ii. 6.

The education of Marius suited the fortune of his parents. They worked for their living, as he also † did, during the first years of his youth, as a day-labourer in husbandry. It is easy to judge from thence, that he had no tincture of the Greek letters: and afterwards, when he was settled at Rome, he affected to despise what he did not understand. Engrossed by the ambition of power, he even thought it ridiculous to study the arts and sciences of a people who were actually in subjection to a foreign yoke. He had however, says Plutarch, great need to sacrifice to the Grecian graces and muses: and if he had learnt by the study of philosophy and the polite arts, to soften the ferocity of his character, and to moderate his passions, he would not have dishonoured the most glorious military exploits, and the most important services rendered his country, by perpetrating cruelties and barbarities, that give horror only to hear them named. But even in the most shining and most glorious times of his life, a kind of rusticity and ferocity

* Velleius is the only one I know, that makes Marius descend from Roman Knights (l. ii. c. 22.) Nor does he agree with himself; for elsewhere (l. ii. c. 128.) he gives him an obscure and unknown origin.

† Arpinas alius Volscorum in monte solebat
Poscere mercedes, alieno lassus aratro. Juv. Sat. 8.

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198.

was always remarkable in him. He had all the good as well as all the bad of a rustick education. His manners were always rude and gross: but he * was sober, austere, inured to labour and fatigue, despising riches and pleasures, and only greedy of glory. As to the probity ascribed to him by Sallust, he could only have deserved that praise by the regularity of his manners. For he never knew either integrity, sincerity, or gratitude, when the pursuit of his views were in question. He was a man that had but one passion, the desire of aggrandizing himself, to which he never made any scruple to sacrifice every thing.

It was this ambition, that made him quit the plough, to take up the profession of arms, by which he was in hopes of raising himself. He had the good fortune to be formed by a great master. He made his first campaigns at the siege of Numantia, under Scipio Africanus. That great man, who spared no pains to know his soldiers, and had the greatest penetration with the most unerring judgment, distinguished young Marius from the rest. He observed, that he gave more readily than any one into all the reformation he made in his camp, and the re-establishment of discipline. He was a witness of his bravery on an occasion wherein Marius killed an enemy in his sight. In consequence, he attached him to himself by praises and honourable rewards: and it is even said, that Scipio being one day at supper with several officers, the discourse happening to turn upon Generals, one of the company, either to make his court to him, or in simple sincerity asked him, who was the person capable of succeeding him? Scipio, striking Marius softly on the shoulder, said, Perhaps this will be the man. If this fact be true, it undoubtedly proves, as Plutarch observes, a great superiority of genius, both in him who so early appeared so great, and in the person who from the first beginning judged so well of

* Industria probitas—animus libidinis & divitiarum victor, tantummodo gloriæ avidus. SALLUST.

the future. The historian adds, that this saying of Scipio's was caught up by Marius as an oracle, which exalted his courage, and emboldened him to enter the path that led to honours and offices.

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He was at first Tribune of the soldiers: and Sallust * observes, that when he was chosen into that office by the People, his actions alone solicited in his favour. For he had appeared much more in camps and armies than in the Forum; and most of those who voted for him, did not so much as know him by sight.

He afterwards became Tribune of the People the 633d year of Rome, not without having before experienced a refusal, according to Valerius Maximus, who even says, that he had received the same affront in his little town of Arpinum, where he could not obtain any municipal office. But nothing was capable of disconcerting him; and the consciousness of his own merit, joined with his ambition, supported him against all the events that were most capable of discouraging him. He was assisted in attaining the office of Tribune by the credit of one Metellus, to whose house himself and his forefathers had been attached many years.

Val. Max.
vi. 9.

Sallust † says, that in all the inferior offices, thro' which Marius passed, he acted so as to shew himself worthy of the greatest. This he particularly confirmed in his Tribuneship, in which he acted with a dignity, constancy, and loftiness, above his present condition and fortune. His great exploits afterwards, and most splendid prosperity, could scarce have inspired him with a more noble pride.

He proposed a law, which instituted a new precaution against cabals in the assemblies of the People,

* Stipendiis faciundis, non Græca facundia, neque urbanis mundiis sese exercuit—Ergo ubi primum Tribunatum militarem à populo petit, plerisque faciem ejus ignorantibus, facile (or rather factis) notus per omnes tribus declaratur.

† Semper in potestatibus eo modo agitabat, ut ampliore quam gerebat dignus haberetur.

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109.

and in the manner of giving suffrages. This law displeased the Senators, whose credit it seemed to abridge; and the Consul Cotta passed a decree in the Senate, for citing Marius to give reasons for his conduct. He obeyed, and appeared before that august assembly, not as a subaltern, that was to justify himself before superiors, but as a master, that gives the law; and declared to the Consul, that, if the decree which had just passed, were not cancelled, he would commit him to prison. They were not much terrified by that menace, and Metellus, who gave his opinion first, seconded the Consul. Upon that, Marius made his Serjeant enter, and ordered him to seize Metellus, and carry him to prison. Metellus implored the aid of the other Tribunes, but ineffectually. The Senate was obliged to give way, and the law passed. This vigorous action did the Tribune great honour: and the People considered him as a defender, ready to espouse their party on all occasions against the Senate. They were mistaken; and had soon proof of it.

One of his Collegues brought on a law for distribution of corn to the citizens. Marius rose up against this largess, and continuing firm to the last, prevented the law from being passed. By this conduct, he made himself equally esteemed by both parties, as not seeking to please either the one or the other, and having the publick good solely in view.

After the Tribuneship, he stood for Curule Ædile. But, as * Valerius Maximus observes, he could only make his way into the Senate by dint of suffering many repulses. The adventure is singular, and without example. When he saw he was upon the point of losing the Curule Ædileship, he renounced it through necessity. But the same day the Plebeian Ædiles were elected. He offered himself for this second charge inferior to the other: and was again re-

* Patientiâ repulsarum irrupit magis in Curiam quam venit. VAL. MAX. vi. 9.

jected. Thus he was the only Roman that had ever experienced two repulses in one day. He however lost nothing of his haughtiness or hopes, and soon after stood for the Prætorship.

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He was not rejected; but was very near it. For of the six Prætors, which were elected, he was the last chosen, and not without great difficulty. He was presently after accused of caballing. I have spoke above of Cassius Sabaco, who was noted by the Censors on this occasion. As to Marius, he supported the hazards of a trial with his usual loftiness. The accusers having demanded that Herennius should be heard as a witness, the latter pretended, that he ought to be dispensed with, as Marius and his relations were his clients. It was the interest of the accused to suffer the thing to pass in this manner without noise; and to spare himself a witness against him. But that his pride could not admit. He rose up, and declared, he was not any person's client, from the moment he had been a magistrate. This however, as Plutarch remarks, was not strictly true. For only the Curule officers discharged clients from their dependance upon their patrons. Now Marius had not yet filled a Curule chair. However it were, the affair at first went very much against him. But at last, the judges being divided in their suffrages, he thereby escaped condemnation, and continued in possession of the Prætorship.

He exercised it the 637th year of Rome with no great reputation. The next year he was sent into Hispania Ulterior, where he chased some troops of robbers.

At his return to Rome, as he had neither riches nor eloquence, he wanted the two advantages which at that time attracted most consideration. However, the virtues of ancient times, which were seen to shine out in him, a lofty soul, a courage superior to all fatigue and danger, a perfect simplicity in his way of living, and, in a word, his severity of manners, did not fail to make him honoured. He married at this time,

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time, and made a good alliance, his wife being Julia, who was Cæsar's aunt; and this was the first engagement that brought Cæsar into the popular faction.

Plutarch gives us here a remarkable instance of Marius's courage in suffering pain. He had swollen veins (*varices*) which disfigured his legs, and resolved to have them cut. In consequence, he had one of them treated by a surgeon, whom he would not permit to tie him, and suffered the operation without moving, or crying out in the least, with a calm countenance and profound silence. The pain was however cruel, (some say it was searing with hot irons) and he would not suffer the surgeon to operate upon the other leg; saying, that the cure was not worth the pain. Thus, says * Cicero, he bore pain like a man of courage; but thought it was not consistent with human nature to suffer it unnecessarily out of choice.

Marius had passed five years since his Prætorship, without making any new advances towards fortune. The question with him now was to attain the Consulship. But the Nobility barred the entrance to it against new men. They sometimes permitted them to share in the other offices: but they reserved this supreme dignity to themselves, which they would have thought disgraced, if it had fallen into the hands of a man of mean birth. Metellus, against his intention, supplied Marius with the means of forcing this barrier, by making him his Lieutenant-General in the army of Numidia. This was putting him into his own element: and in this employment he behaved in the most proper manner to deserve universal esteem and admiration. No labour or danger, though ever so great, were capable of dismaying him; nor any useful function so low and minute as to be disdained by him. He took place of all of his own rank by

* Ita & tulit dolorem, ut vir: & ut homo majorem ferre sine causa necessaria noluit. Tusc. Quæst. ii. 53.

prudence, and superiority of views; and for simplicity A. R. 644.
 in eating and drinking, and patience in fatigues, vyed Ant. C.
 with the meanest of the soldiers: and thereby he made 108.
 himself extremely beloved. For, says * Plutarch,
 nothing consoles those who are obliged to undergo
 great fatigues, than seeing others share voluntarily in
 them. This in some measure removes their necessity
 and constraint. Accordingly, the most agreeable
 of all sights to the Roman soldiers, was a General
 eating brown bread with them, lying upon leaves, and
 lending a hand in opening a trench, or fixing the
 palisades. They did not esteem the commanders so
 much who shared glory and riches, as those who con-
 descended to share in fatigues, with them: and to
 share in labours with them was a more certain means
 to gain their affection, than to suffer them to be idle.
 Such was the conduct of Marius: and this method
 of attaining the Consulship had undoubtedly been
 highly laudable, if he had not added dark contri-
 vances, bad practices, and at length declared en-
 mity against a General of the greatest merit and virtue,
 and one to whom he had obligations.

Metellus indeed did give him some cause of com-
 plaint. That General had excellent qualities: but he
 was † proud, haughty, and contemptuous; a fault
 very common to the Nobility.

When Marius therefore asked to be dismissed the
 service, and permission to go to Rome, to stand for the
 Consulship, Metellus seemed amazed at that proposal,
 as at something extraordinary, and advised him as a
 friend, “ not to embark in so strange an enterprize,
 and form designs above his condition. He told him,
 that it did not suit every body to aspire at the first

* Όλος μὲν γὰρ ὅμοιος τῷ κάμνειν ἐκάστω παραμυθία τὸ συγκαμνεῖν ἐκείνους εἶναι·
 δικαίῳ γὰρ ἀναγκρῆν τὴν ἀνάγκην· ἡδίστον δὲ Ῥωμαίων δέμας σπράττειν τῇ σπράττει· ἰδιώτων ἐν
 ὁπλῶν καὶ ἐν ἄρτων κατακειμένῳ ἐπὶ σιβάδι· εὐτελες. ἡ περὶ ταπεινὰ τινα καὶ χαράκων
 ἔργα συνεφαπτόμεν· ἔ γὰρ ἔτα τὰς τῆς τιμῆς καὶ τῶν χαρμάτων μεταδίδοντες, ὥς
 πῶς πῶς καὶ κινδύνους μετὰ λαμψάνους ἡγεμόνας θαυμάζωσιν, ἀλλὰ μᾶλλον ἀγαπᾶσι τῶν
 βαθυμύν ἐπιβροχῶν τας συμπόνοι ἐθελήσας.

† Inerat contemptor animus, & superbia, commune Nobilitatis ma-
 lum. SALLUST.

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108.

offices: that he ought to be sufficiently satisfied with his fortune: and lastly, that it would argue prudence in him not to demand that of the People, which would draw upon him the shame of a just repulse. That for the rest, he would discharge him, as soon as the publick affairs would admit." As he found himself extremely perplexed by Marius, who afterwards repeated the same demand, he answered him with insult, " That he should not be in such haste to set out for Rome: That it would be time enough for him to ask the Consulship, when his own son should do so." This young Metellus, who then served under his father, was only twenty years old; and a person could not be Consul till forty-three.

So declared a contempt only served to increase the strong desire Marius had to attain the Consulship, and to exasperate him against his General. He * hearkened from thenceforth to nothing but his resentment and ambition, evil and dangerous counsellors. His sole care in the winter-quarters, where he commanded, was to gain the soldiery, by abating in the severity of the discipline, and treating them with more than common indulgence. Besides which, as there were a great number of Roman merchants at Utica, he never ceased decrying Metellus to them, as a man of greater shew than merit; whose pride was insupportable, and who expressly spun out the war, to have the pleasure of commanding the longer. That as for himself, with half the troops Metellus had, he could easily take Jugurtha in a few days, and bring him bound hand and foot to Rome. This discourse made the greater impression upon these merchants, as they were weary of a war that ruined their trade. Thus, all, as well soldiers as merchants, in hopes of seeing the war soon terminated under another General, in their letters to their friends at Rome, made great complaints of Metellus, and highly extolled the merit of Marius.

* Ita cupidine atque irâ, pessumis consultoribus, grassari.

Factionous persons make use of every aid. Marius gained even a Numidian Prince, named Gauda, to his interests; he was Masinissa's grandson by Manastabal. He allured him by the hopes of the kingdom of Numidia, which could not fail of being his, as soon as Jugurtha should be killed, or taken. The spirit of that Prince was damped by great and continual sickness. Besides which, he was dissatisfied with Metellus, who had refused his services upon several chimerical and ridiculous pretences. Gauda in effect was easily persuaded by Marius, and joined those who solicited the Consulship for him.

In the mean time Jugurtha found himself in danger of being destroyed by the artifices of the Roman General, and the treachery of some of the principal persons of his court. We have said before, that Bomilcar, brought over by Metellus, had advised that Prince to surrender to the Romans. Jugurtha having only followed that counsel in part, and stopt just when it was to be put in final execution, conceived a distrust of the person who had given it him. Bomilcar discerned this; and to prevent the revenge of a violent Prince, who spared nobody, was resolved to compleat his work, and to save his own life by killing his master. He brought a Numidian Lord into his design, who was highly considered by his country, on account of his birth, employments, and riches, and in great esteem with the King. Unhappily for them the conspiracy was discovered: it cost Bomilcar his life; the just reward of his perfidy.

But the alarm which a conspiracy, formed by the dearest and most intimate of his confidants, gave Jugurtha, affected him so much, that he had no longer a moment's tranquillity. He thought himself safe nowhere. The night, the day, the citizen, the stranger, all made him tremble. He never slept but by stealth, frequently changing his apartment and bed, without regard to the decorum of his rank. Sometimes starting up, he would seize his arms and raise great cries, so much had fear got the better of his reason.

When

A. R. 644.

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When Metellus knew, by the report of deserters, that the conspiracy had been discovered, and Bomilcar put to death, he prepared to renew the war. Marius continually demanded to be dismissed. As he could not hope much service from a man who believed himself injured, and was disagreeable to him, he at length permitted him to retire.

Marius was received at Rome by the People with great marks of esteem and affection. What had been wrote thither from Africa, had made great impression in his favour. The high birth of Metellus, which had before acquired him respect, served no longer but to excite enmity against him; and, on the contrary, the obscurity of Marius's extraction recommended him to the People, who thought themselves despised in the contempt expressed for that new man, as the Nobility termed him. The Tribunes, on their side, laboured incessantly to animate the People, and never harangued, without giving Marius the greatest praises, and loading Metellus with reproaches. For the rest, it was not by the good or bad qualities of either the one or the other, that the affair was determined: cabal, and the spirit of party, were the sole motives in it.

The credit of the Nobility was very much sunk, since many of them had been condemned, as we have seen, for the crimes of speculation and extortion, and the power of the People much augmented. This appeared fully in the election of Consuls. The People declared openly for Marius, and, what had not happened for many years, * a new man was elected into this office. L. Cassius Longinus was given him for Collegue. This was not all: at the request of one of the Tribunes, the command of the army of Numidia, which had been continued by the Senate to Metellus, was conferred by the People upon Marius.

* Q. Pompeius is believed to have been the last new man, who attended the Consulship four and thirty years before.

We now see the new Consul satisfied and triumphant: A. R. 642.
Ant. C.
108. but he attained all this greatness solely at the expence of probity and gratitude. It will not perhaps be disagreeable to give Cicero's opinion of such a conduct a place here. He begins with a brief account of the intrigues and artifices used by Marius to discredit Metellus; and then adds: "He * was at length elected Consul; but he departed from the rules of honour and justice, in calumniating an excellent and illustrious citizen, who had made him his Lieutenant General. Can we, says he, after this consider him as an honest man? Can an honest man, from the motive of interest, lye, calumniate, deceive, and defraud others of their right? Certainly, No. Is there upon earth any advantage, however desirable it may appear, for which it is allowable to sacrifice the name and repute of an honest man? Wherein will this imagined utility compensate the loss sustained by renouncing justice and probity? Is it not transforming one's self into a brute beast, when under the form of a man are concealed the avidity and violence of a brute?" Could the most severe casuist express himself with greater energy?

C. MARIUS.

A. R. 645.
Ant. C.

L. CASSIUS.

107.

Metellus did not yet know what had passed at Rome, and not doubting but that he should be continued in the command in Numidia, he applied to the war with vigour.

* Factus est ille quidem Consul, sed à fide justitiæque discessit, qui optimum & gravissimum civem, cujus legatus fuerat, in invidiam falso crimine adduxerit.—Possumusne Marium virum bonum judicare?—Cedit ergo in virum bonum, mentiri emolumentum sui causâ, criminari præripere, fallere? Nihil profectò minus. Est ergo ulla res tanti, aut commodum ullum tam expetendum, ut viri boni & splendorem & nomen amittas. Quid est quod afferre tantum utilitas ista, quæ dicitur, possit, quantum auferre, si boni viri nomen eripuerit, fidem justitiæque detraxerit? Quid enim interest utrum ex homine se quis conferat in bellum an in hominis figura immanitatem gerat bellum? Cic. de Ofic. iii. 79, 81, 82.

Jugurtha

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Jugurtha having lost his friends, most of whom he had put to death himself, and had reduced the rest to take refuge either amongst the Romans, or with Bocchus, King of Mauritania, was in strange perplexity. He could not make war alone, and without officers. And having lately experienced the perfidy of his old servants, how could he rely upon the fidelity of such as were but just entered into his service? Every thing was suspicious to him. He changed his route and officers every day. Sometimes he seemed to intend to seek the enemy, and sometimes he retired into his solitudes. He often fled, and soon after expressed impatience for coming to a battle. He relied neither upon the fidelity nor valour of his subjects. Wherever he turned his thoughts and designs, he could see nothing that was not sinister.

Whilst he was fluctuating in these uncertainties, Metellus appeared on a sudden with his army. Jugurtha, in this surprize, drew up his troops in as good order as the little time he had would admit. The battle began, and in the place where the King was there was some resistance. All the rest gave way, and were routed at the first charge. The Romans remained masters of the colours and arms; but they took few prisoners, because most of the Numidians escaped by flight. For, says * Sallust, that they know much better how to do, than to fight.

After this defeat, Jugurtha again despaired of the success of his affairs. He fled to the deserts with the deserters, and part of his horse. From thence he repaired to Thala, a great and rich city, where he kept most of his treasures; and his children were educated. Though, in order to arrive there, it was necessary to cross fifteen leagues of a sandy country without water, Metellus followed him thither, in hopes of terminating the war by the conquest of that

* Nam ferme Numidas in omnibus præliis magis pedes quam armata tutata sunt.

place, and caused water to be carried thither in leathern bags. The sudden arrival of Metellus extremely surprised both Jugurtha and the inhabitants. That Prince, seeing that nothing was capable of stopping the Roman General, escaped by night from Thala, carrying with him his children, and the greatest part of his treasures. The flight of the King did not prevent the city from making a good defence: it was very well fortified both by art and nature. The siege continued forty days, at the end of which the Romans, after many fatigues and dangers, made themselves masters of the place. But they lost the whole plunder of it. The deserters, seeing that the rams had made a breach in the walls, and they had no resource left, carried the gold, silver, and every thing of most value in the city, into the King's palace. There, after filling themselves with wine and good cheer, they set fire to the palace, and destroyed themselves with every thing there in the flames; thereby condemning themselves to a greater punishment, than they could have apprehended from their enemies.

Jugurtha, after the taking of Thala, seeing that nothing could withstand Metellus, removed, with few followers, through great deserts, into the country of the Getuli, a savage and barbarous people, who did not so much as know the name of Roman. He assembled them, accustomed them by degrees to keep their ranks, follow ensigns, execute the orders of their commander, and, in a word, to perform all the duties of war.

On another side, he supported himself with the alliance of Bocchus. That Prince, at the beginning of the war, had sent Ambassadors to Rome, to demand to be received into the alliance of the Roman People. This was a considerable advantage in respect to the war undertaken against Jugurtha. But the avarice of a small number of Senators made this affair miscarry; whether they were bribed by Jugurtha's money, or were for making Bocchus buy the alliance of the Commonwealth. For Sallust is not very

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explicit upon this head. This refusal had prejudiced the King of Mauritania against the Romans, and made him the more ready to hearken to the solicitations of his kindred and friends, who, gained by the Numidian, determined him to unite with him. Besides which, Jugurtha was his son-in-law. But indeed, these alliances had no great weight with the African Princes, who had many wives. The two Kings agreed upon a place for joining their armies. They there gave each other their faith in form. Jugurtha animated Bocchus, by representing to him, "That the Romans were the most unjust people upon earth, of insatiable avarice, enemies to all mankind, and in particular to all Kings. That as it was ambition alone that made them arm, they successively attacked all Kings and States, now him (Jugurtha), heretofore Perseus and the Carthaginians, and as soon as possible Bocchus himself."

The two allied Kings marched together towards the city of Cirta, where Metellus had laid up his plunder, and kept his prisoners and the baggage of his army. Jugurtha judged, that taking the city would be a great blow; or that, if the Romans should come to its relief, there would be a battle, which he much desired. For his view was, by some signal action, to engage Bocchus on his side in such a manner, as should make it impossible for him to recede.

Metellus having received advice of the alliance and junction of the two Kings, marched to incamp near the city of Cirta, and took care to intrench himself well there. His design was not immediately to offer Jugurtha battle, as it had been his custom before. He thought it necessary to change his conduct, in order to know previously to all things what kind of enemies the new ones were, who had lately joined the others; after which he would be more capable of taking his advantages in a battle.

It was here that he received the news that Marius was appointed to succeed him: he knew before, that
he

he had been chosen Consul. Whatever force of mind Metellus had in other respects, he could not support this unforeseen stroke; which made him shed tears, and say things little worthy of so great a man. It was indeed a mortifying thing, to have an almost certain victory, which he had so much advanced, torn out of his hands. But what affected him most, was that the honour of it should be transferred to his enemy. For, had the command been taken from him to be given to any one but Marius, he would have been much less sensibly afflicted.

The concern Metellus was under, prevented him from acting with his usual vigour; besides which he thought it madness for him to forward an enterprize at his own peril; of which another was to have all the advantage and glory. He contented himself with representing to Bocchus by his envoys, "That he should not make himself an enemy of the Roman People without cause: That he had a fair occasion of making an alliance and amity with Rome, which were much preferable to war for him. That, whatever confidence he might have in his forces, it was not prudent to hazard certainty for uncertainty. That it was easy to engage in a war, but often highly difficult to extricate one's self out of it. That the entrance of it was open even to the most cowardly, but to quit it depended only on the victor. That therefore he should maturely consider what suited him and his kingdom; and not compound his present flourishing fortune with the unhappy fate of Jugurtha."

Bocchus replied, "That peace was his desire; but that he pitied Jugurtha's misfortunes; and that if Metellus thought fit to make his ally the same offers as had been made to himself, all parties would soon come to an agreement." The General sent again to Bocchus, who approved some of the proposals made to him, and rejected others. These negotiations took up time, and prevented both sides from acting, as Metellus desired.

S E C T. III.

Marius prepares every thing for his departure. He harangues the People. He sets out from Rome, and arrives in Africa. Metellus is perfectly well received at Rome. The honour of a triumph is granted him. Upon an accusation of extortion, his judges refuse to examine the journal of his administration. Marius begins by forming and enuring his troops for war. He besieges and takes Capsa, a place of importance. He besieges a castle which was thought impregnable, and is almost discouraged by the difficulties he finds at it. A Ligurian climbs up the rocks, and gets to the top of the fort. He reascends it again with a small detachment given him by Marius. The detachment enters the fort, and the place is taken. Sylla arrives in the camp. Birth and character of that famous Roman. Bocchus joins Jugurtha with his troops. They attack Marius, and have some advantages at first. They are afterwards defeated and put to the rout. Marius's care in marching. New battle, in which the Romans are again victorious. Bocchus sends Deputies to Marius, and then to Rome. Marius, on the instances of Bocchus, sends Sylla to him. After much fluctuation, he delivers up Jugurtha into Sylla's hands. The latter ascribes the glory of this event to himself. Marius's triumph: miserable end of Jugurtha. DETACHED FACTS. Censorship of Scaurus. The son of Fabius Servilianus banished the city, and then put to death by his father for his infamous conduct. The son of Fabius Allobrogicus interdicted by the Prætor. Singular character of T. Albucius. His vanity. He is condemned for extortion. Scaurus accused before the People; and acquitted not without great difficulty. The Tribune Domitius transfers the election of Pontiffs and Augurs to the People.

WHILST these things passed in Africa, Marius took extreme care to provide every thing that was necessary for the war consigned to him. He levied recruits for the legions; and demanded auxiliary troops of the Allies, States, and Kings: he invited the bravest of the Latines to join him, and even persuaded those who had served out their time in war, and been discharged, to follow him in this expedition. Every body was eager to give in their names for serving under him. They assured themselves of victory, and did not doubt but they should return laden with booty. This declared zeal for Marius mortified the Nobility very much. On his side, he treated them with haughtiness, slipt no occasion for attacking and decrying them publickly, and boasted frequently, that the Consulship was a trophy he had gained over the effeminacy and worthlessness of the Nobility. The vehemence of his harangues to the People may be judged from that which Sallust has preserved, or perhaps lent him, and I proceed to repeat here.

“ I know, Romans,” said he, “ that most of those whom you raise to dignities, behave in a quite different manner after they have obtained them, from what they do when they solicit them. At first they appear laborious, suppliant, and modest: but afterwards, as soon as they are invested with your favours, they abandon themselves to sloth and pride. In my opinion, the reverse of this behaviour ought to be observed. For as the interest of the publick is infinitely to be preferred to the Prætorship and Censorship, more attention ought to be had in the administration of the State, than in soliciting offices. I am not ignorant how heavy a burthen that is which you have conferred on me. To labour in making preparations of war, and at the same time to be frugal of the publick money; to oblige persons to enter into the service, whom one would not willingly offend; to have the care of all things at home and abroad; and to acquit

A. R. 645. " onself of all these duties in the midst of the invi-
 Ant. C. " dious, the factious, and declared enemies, is a
 107. " more rude and arduous situation, than can well be
 " imagined. To this add one more inconvenience,
 " which is peculiar and personal to me. If others
 " commit a fault, their ancient Nobility, the glo-
 " rious actions of their ancestors, the credit of their
 " families and relations, the great number of their
 " clients, all these, in a manner, come in to their aid,
 " and secure them: whereas all my resources are in
 " myself, and I have no support but what I am to
 " find in virtue and innocence: for all the rest are
 " wanting to me. I see that the eyes of all the world
 " are upon me. The equitable and judicious favour
 " me, because they are convinced that I have no
 " view in all my actions but the publick good: but
 " the Nobility seek only occasions to discredit and
 " prejudice me. This is one reason that induces me
 " to make new efforts that I may not frustrate your
 " expectation, and may render their bad designs in-
 " effectual. From my earliest youth I have ac-
 " customed and enured myself to labour and danger.
 " What I have hitherto done from the mere love of
 " virtue, I ought now with more reason to do out of
 " gratitude, since you have laden me with your fa-
 " vours: and this is entirely my resolution. It is
 " hard for those who, to attain dignities, have as-
 " sumed the mask of virtue, to continue long in that
 " constraint, when their ambition is satisfied. As for
 " me, who have exercised myself in it all my life, I
 " can say, that long habit has in a manner rendered it
 " natural to me. You have charged me with the war
 " against Jugurtha: and this is what gives extreme
 " offence to the Nobility. Now I desire, Romans,
 " you will consider with yourselves, whether, instead
 " of the choice you have made, it would be better
 " for you to take, out of that troop of the Nobility,
 " to fill up the office in question or some other the
 " like, a man of an ancient family, and one adorned
 " with having borne all the great offices of the State,
 " but

“ but without service and experience ; in order that
 “ in the conduct of so important a war, perplexed
 “ for want of practice, and entirely disconcerted, he
 “ may take out of the very people he despises a guide
 “ and monitor, to shew him his duty. And indeed,
 “ it often happens, that a man whom you have
 “ chosen General to command an army, has more
 “ need of another General to command him, and to
 “ be to him instead of a master. I know some, who,
 “ when elected Consuls, have began to read our his-
 “ tories, and to study the art military in the books of
 “ the Greeks. This is manifestly reversing the order
 “ of things. For, though they do not command till
 “ after they have received authority ; before they
 “ have authority, they ought to learn to command.
 “ Suffer me now, Romans, to compare with these
 “ proud Nobles your Consul, whom they are for
 “ lessening with the title of New Man. What they
 “ learn from reading and precepts, I have learnt by
 “ practice and experience themselves. The instruction
 “ they have from books, I have from many years of
 “ actual service. And now judge on which you
 “ ought to set most value, on words or actions. They
 “ despise the meanness of my birth ; and I that of
 “ their valour. I am reproached with my fortune,
 “ they with the unworthiness of their conduct. But,
 “ after all, I know that men are all of one and the
 “ same nature ; and that, consequently, the most
 “ worthy are the most noble. And indeed, could we
 “ ask at present the forefathers of Albinus or Cal-
 “ purnius, who they would rather have for sons,
 “ those actually descended from them, or me, is it to
 “ be doubted but they would answer, that they al-
 “ ways desired to have children virtuous and estima-
 “ ble for their own merit ? If they think they have
 “ a right to despise me, they must then despise their
 “ ancestors, who began their nobility by virtue.
 “ They envy my dignity : why don’t they also envy
 “ my labours, dangers, and the innocence of my
 “ life, that are the steps by which I attained it ? But

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“ these men, whom their perverse pride has blinded,
 “ behave as if they despised your dignities, and ask
 “ them with as much boldness and confidence, as if
 “ they had deserved them by the wisdom and virtue
 “ of their conduct. They are certainly in a very
 “ great error, to think of uniting in themselves things
 “ so incompatible, and to pretend to the rewards of
 “ virtue, whilst they enjoy the pleasures of idleness.
 “ When they speak before you, or in the Senate,
 “ they take extreme care to celebrate their ancestors,
 “ and believe repeating their glorious exploits reflects
 “ great honour upon themselves. But this is just the
 “ reverse. For, the more the lives of those great
 “ men abound with noble actions, the more these of
 “ their descendants, if without them, deserve con-
 “ tempt. The glory of ancestors, it must be owned,
 “ is a light for their posterity : but a light that equally
 “ illustrates vices and virtues. As for me, I cannot
 “ boast my ancestors, but I can repeat my own ex-
 “ ploits, which is undoubtedly more glorious. Ob-
 “ serve, I beg you, how unjust they are. They pre-
 “ tend to derive lustre from the merit of others ; and
 “ will not admit me to derive any from my own, be-
 “ cause I have not those ancient statues at home, with
 “ which they adorn their houses, and because my
 “ glory is recent. But is it not better to be one’s self
 “ the author of one’s own nobility, than to dishonour
 “ that derived from ancestors ? I know, if they
 “ should undertake to answer me, they would not
 “ fail to employ fine words, and to make very elo-
 “ quent discourses. This is a glory I do not pre-
 “ tend to dispute with them. But as, whilst you
 “ take pleasure in doing me honour, they spare no
 “ calumnies on all occasions against you and me, I
 “ thought it incumbent upon me not to hold my
 “ peace, lest my silence should be taken for admitting
 “ what they say. For, at bottom, I have nothing to
 “ fear, and no discourse can hurt me. If it be true,
 “ it can be only to my praise ; and, if false, my
 “ actions sufficiently bely, and refuse it. But, Ro-
 “ mans,

mans, as all this is intended against you, and they
 presume to censure you, for having first confided
 the supreme dignity of the Commonwealth, and
 next the command of a very important war, to me;
 reflect seriously, I conjure you, whether you have
 any cause to repent it. I cannot, to assure you of
 what you are to expect from me, produce the Sta-
 tues, Consulships, and Triumphs of my ancestors;
 but, if it is necessary, I can set before you military
 rewards of every kind; pikes, ensigns, crowns: I
 can shew you the scars of honourable wounds all re-
 ceived before. These are my statues, these the ti-
 tles of my nobility, which have not fallen to me
 by inheritance, as to my adversaries, but which I
 have acquired by my labours and dangers. You
 find no art nor order in my words: that is an art
 upon which I neither pique myself, nor set much
 value. Virtue makes itself known sufficiently by
 itself: others may stand in need of fine discourse to
 cover the shame of their actions. I have not ap-
 plied myself to the study of the Greek literature;
 as I saw that those who have, did not become bet-
 ter men in effect. But what I have learnt, and
 which is of more value for the service of the Com-
 monwealth, is to use the sword, to keep my post,
 to attack or defend a place well, to fear nothing
 but infamy, to suffer cold and heat alike, to have
 no other bed but the earth, and at the same time
 to support both hunger and fatigue. And these
 are things I shall teach my soldiers. I will not let
 them live in want, whilst I riot in plenty. I will
 not assume all glory to myself, whilst they have
 only toil and labour. Such a conduct ought not
 to be observed in respect to citizens. To live one's
 self in sloth and luxury, and exact rude service and
 fatigue from the soldier, is to act as a master over
 slaves, not as a General. It was by a quite diffe-
 rent conduct our ancestors acquired themselves so
 much glory, and did the Commonwealth so much
 honour. Now the Nobility, after having entirely de-
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generated from their glory, despise us ; us, who
endeavour to tread in the steps of their ancestors ;
and exact dignities from you as their right, with-
out taking any pains to deserve them. I repeat it :
these men, so proud of their birth, impose strangely
upon themselves. Their ancestors left them all
that it was in nature to transmit, their riches, sta-
tues, the glory of their names and great actions :
but they have not left them their virtue, nor indeed
could they do it ; virtue, of all good things, being
the only one that can neither be transmitted nor in-
herited. They say I live in a gross manner, and
without what they call elegance and politeness,
because I have no great skill in setting out a feast ;
make no use, at the entertainments I give, of co-
medians and buffoons ; and that I give no more
for a slave that is to be my cook, than for one to
work in my field. All this is true, and I freely
confess it. I learnt from my father, and other per-
sons of virtue, that ornament is for women, as la-
bour is for men : that men of worth ought rather
to aspire at glory, than at riches : that arms do
more honour than the most magnificent robes. As
they think quite otherwise, let them follow their
taste. Let them pass their days in wine and de-
bauches ; let them end their lives as they have be-
gan them ; and leave us to dust, and sweat, and
military fatigues, which we prefer to all their vo-
luptuousness. But they do not act in this manner.
After having wallowed in shameful pleasures, they
come to deprive us of the rewards of virtue and valour.
Thus, through insupportable injustice, depravity of
manners, and luxurious ease, which ought to ex-
clude them from all offices, does them no hurt,
and are only fatal to the Commonwealth, in giving
it unworthy leaders and magistrates.

After having answered my enemies, not so much
as their infamous conduct, but as my own cha-
racter required, I shall add a few words upon the
publick affairs. Above all things, Romans, you

“ should

“ should expect, with a kind of assurance, good suc-
 cess of the war in Numidia. You have removed all
 the obstacles that formed Jugurtha’s strength: I
 mean avarice, ignorance, and pride. You have an
 army in Africa that perfectly knows the country,
 that has all the courage necessary, but that hitherto
 has not had good fortune. A great part of the
 troops are perished either by the avarice or temerity
 of their commanders. O you then, who are of
 age to bear arms, come and join your efforts with
 mine, and sustain with me the honour of the Com-
 monwealth. Do not be discouraged by the exam-
 ple of past misfortunes, nor fear, that your Gene-
 rals will treat you with pride and insolence. After
 I have given you orders, you shall see me, in
 marching, in battle, divide fatigue and danger with
 you. Except in point of command, I shall make
 no difference between you and myself. You may
 conceive, that with the assistance of the gods, vic-
 tory, spoils, and glory wait for, and seem to in-
 vite, you. But though you had not all these ad-
 vantages to hope, the interest only of the Com-
 monwealth would suffice to induce good citizens,
 as you are, to defend it with valour. Cowardice
 never exempted any one from death. Never did
 father desire that his children should be immortal,
 but that they should become men of great honour
 and probity. I should say more on this head,
 Romans, if words could make cowards brave: for
 as to the valiant, I think I have said enough.”

Plutarch gives reason to think that many strokes of
 this speech are really Marius’s: and the thing is not
 improbable in itself. At least it is certain, that his
 character is wonderfully sustained in it, his vanity as
 a soldier, his antipathy to the Nobility, and his con-
 tempt of polite learning. We shall see him through-
 out his life just what he appears here, a great warrior,
 but with nothing else to recommend him.

He put himself into a condition to make good his
 promises by effects. He embarked with the utmost
 diligence

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diligence the provisions, arms, military chest, and the other things necessary for the army. He at the same time made Aulus Manlius, one of his Lieutenants, set out. As to himself, in the mean time, he made haste to compleat the levies, without confining himself to the ancient custom, which admitted no citizens to serve in the legions but those who had some estate; in order that the Commonwealth might thereby have some security for the zeal and fidelity of her soldiers. Marius accepted all that offered themselves indifferently, even the poorest, and those who had nothing at all. These dregs of the multitude were always extremely attached to him; and ambitious as he was, he conceived that with their aid he should form a considerable party at Rome. He put to sea with a much greater body of troops than he had orders to raise, and arrived in a few days at Utica. Rutilius, the Lieutenant General, resigned the command of the army to him; for Metellus had industriously avoided seeing a successor, the sight of whom only would have been extremely mortifying to him.

That General, on his arrival at Rome, expected to find every body highly disgusted with him; knowing how much his adversary, by his inveterate and calumnious harangues, had laboured to render him odious to the multitude. He was agreeably deceived. The first heat of displeasure being over, he was very honourably received, not only by the Senate, but even by the People. A Tribune however opposed his triumph: and Metellus on that occasion made a speech to the People, of which Aulus Gellius has preserved us a passage entirely noble, and of the utmost elevation of sentiments. “Romans,” * said he, “as it is a constant maxim, that it is more easy for good men to suffer, than to do, injury; this Tribune, who is for having you refuse me a triumph, does

* Quanto probi injuriam facilius accipiunt, quam alteri tradunt, tanto ille vobis, quam gratiam mihi, pejorem honorem habuit. Nam me injuriam ferre, vos facere vult, Quirites: ut hinc conquestio, istic vituperatio relinquatur. A. GELL. xii. 9.

"you more wrong than me. For I should suffer in justice, and you would do it: so that though I should have cause to complain, you would deserve to be blamed." Metellus obtained a triumph, and assumed the surname of Numidicus, which perpetuated the remembrance of his exploits in the war of Numidia.

It is very probable, that it was also at this time, that * being accused of extortion, he received a testimony in his favour, from his judges, more glorious than the triumph itself. For, when he produced the registers of his administration in his defence, not one of the judges would so much as cast an eye upon them, nor seem to doubt a moment, whether what Metellus advanced were true or not; declaring loudly, that to be assured of his innocence, there was no occasion for any other proof than that of his whole life, and universally acknowledged integrity.

The Consul Marius, after having compleated his legions and the auxiliary troops, marched his army into a plentiful country: and distributed all the plunder he took in it amongst the soldiers. He attacked and took some towns and castles of little strength, and fought sometimes, or rather skirmished, in different places. By this means, the new-raised soldiers accustomed themselves to stand firm upon occasion. They saw that those who fled were either killed or taken: that the bravest have least to fear; that arms are the source of glory and riches, and the support of their country, their liberty, and all that is dearest amongst men. Thus, in a short time, there was no difference between the old and the new-raised troops.

* *Audivi hoc de parente meo puer: quum Q. Metellus causam de pecuniis repetundis diceret—quum ipsius tabulæ circumferrentur inspicendi nominis causa, fuisse judicem ex illis Equitibus Romanis, gravissimis viris, neminem, quin removeret oculos, & se totum haberet, ne fortè, quod ille in tabulas publicas retulisset, dubitare quicquam, verum-ne an falsum esset videretur. Cic. pro Balbo, II.*

Non in tabulis, sed in vita Q. Metelli argumenta sincere administratæ provinciæ legenda sibi iudices crediderunt. VAL. MAX. II. 10.

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Marius, after having disciplined his soldiers in this manner, and gained various advantages over the enemy, seeing himself in a condition to form some great enterprize, resolved to surprize Capſa. It was an important place, ſtrong both by art and nature, defended by numerous inhabitants, and provided with munitions of every kind. The horror of the country in which it was ſituated; rendered the conqueſt of it ſtill more difficult. Except the places around the city, the whole country was deſert; uncultivated, barren ſands, and infeſted with very venomous ſerpents. This ſituation ſeemed to render the acceſs to Capſa impracticable to the enemy. But Marius juſtly thought, that would undoubtedly be the very thing that would make them leſs upon their guard, as having nothing to fear. He therefore concealed his deſign with the utmoſt care, and in other reſpects took his meaſures with abundance of prudence. He began by carrying off all the cattle in the country, which he gave to the care of the auxiliary cavalry; with orders to drive them on with the troops. Every day part of theſe cattle were diſtributed to the army; and of their ſkins Marius cauſed leathern bags to be made. The ſixth day he arrived on the banks of the * Tana. After a ſhort ſtay, he left all the baggage there, and loaded the carriage-horſes only with the bags filled with water. Each ſoldier was ordered to carry one. In this condition they moved forwards about ſun-ſet. They marched all night, and halted in the day. The third night, before day-break, they arrived at a place abounding in valleys and ſmall eminences, which were only two miles diſtant from Capſa. Marius kept his troops as much concealed as poſſible between theſe little hills; and at day-break, many Numidians, who ſuſpected no danger, having quitted the city, he made his horſe, with the nimbleſt of his foot, advance on a ſudden towards it to ſeize the gates. The inhabitants immediately ſurrendered; either through the

* Geographers do not mention this victory.

amazement and terror occasioned by so unexpected an attack, or because they saw many of the people had been surprized without the walls, and had already fallen into the enemy's hands. The city was burnt. All the Numidians capable of bearing arms were put to the sword; the rest were sold, and the spoils were distributed amongst the soldiers. This rigour, says Sallust, was contrary to the laws of war. However, neither avarice, nor cruelty, induced Marius to commit it. He considered this place was of great advantage to Jugurtha: that the Romans could not approach it without great difficulty: that he had an inconstant and perfidious nation to deal with, which it was impossible to keep within bounds either by lenity or fear. Could all these reasons suffice to justify a cruelty contrary to the law of nations, exercised upon inhabitants who had surrendered without deceit? Was it not sufficient to demolish the place? But the motives of interest, in war, had long taken place of justice, and served instead of reasons.

So extraordinary a success did Marius great honour, and highly increased his reputation. His least prudent enterprizes were however attended with glory, because they passed for effects of his courage. The soldiers, charmed with the mildness with which they were commanded, and at the same time enriched with spoils, extolled their General to the skies. The Numidians dreaded him, as if there had been something in him more than human. In a word, both allies and enemies believed that the gods directed and inspired him in all his undertakings.

After this happy event, he advanced towards other places: some of them he forced; many others he burnt, which the disaster of Capsa had induced to desert: and putting all to fire and sword, he filled the country of the enemy with desolation and horror. These conquests cost the Romans very few men.

He formed another enterprize, the execution of which was very difficult. Not far from the river of Mulucha, which separated the kingdoms of Jugurtha
and

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and Bocchus, in the midst of a vast plain, was a mountain, or rather a rock of great circumference and prodigious height, upon the top of which stood a castle of moderate bigness, to which there was but one very narrow avenue; all the rest being nothing but precipices, as steep as if they had not been the work of nature, but cut and levelled by human industry. The garrison wanted nothing: they had provisions in abundance, and a spring of water in the rock. Jugurtha had deposited his treasures in this fort. Marius was very desirous to make himself master of it. It was extremely difficult to carry on approaches, to cut the soil, and to make use of machines against it. When they had gone so far as to make the batteries advance with great pains and danger, the besieged either broke them to pieces with stones, or set them on fire, and reduced them to ashes. The soldiers could not stand fast at work, on account of the unevenness of the ground. The bravest of them were left upon the place either dead or wounded, and the rest lost courage.

Marius, after having spent many days ineffectually, and without advancing his works, was extremely perplexed, and did not know what to resolve. However, the extraordinary good fortune which had attended him in all his enterprizes, supported him. He experienced it again here. A Ligurian soldier gathering snails, which he saw in the clefts of the rocks, arrived insensibly almost at the top of the mountain. Curiosity, natural to man, induced him to advance still farther; and sometimes by the help of oaken branches, which fortunately grew there, and sometimes by the rocks that afforded most hold, he got up to the platform of the fort, and saw, that it was entirely abandoned; all the Numidians being posted on the side the besiegers attacked. The Ligurian immediately descended, and gave Marius an account of what he had seen. The Consul being assured of the truth by other soldiers, whom the Ligurian conducted to the same place, resolved to take the advantage of so lucky a discovery.

discovery. He chose five of the most active trumpeters of the army. He detached four Centurions with their companies to support them, and commanded them to observe the Ligurian's orders.

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The next day they set out, after having provided themselves with every thing necessary. The soldiers, by their guide's direction, left every thing behind that might retard them, took off their helmets to see the better, and bared their feet to be the less exposed to sliding. Their swords were tied behind their backs, as well as their shields, which were of leather, after the Numidian fashion, and consequently lighter, and not so apt to make a noise. The Ligurian went foremost, and when he found either points of rock, or roots of trees, that projected, he took care to make cords fast to them with running knots, on which the soldiers might lay hold in order to climb with less difficulty. He lent his hand from time to time to those whom so strange a way daunted. In the roughest parts of it, he made them go one by one before him, and disburthened them of their arms, which he carried after them himself. When a place seemed dangerous, he made the first trial of it. They saw him ascend and descend several times; and by that means he encouraged the whole troop under his direction. They arrived at last, after many fatigues and dangers, on the top of the mountain, which they found abandoned on that side; because the Numidians were all employed at the place which the Romans attacked.

Marius had harassed the enemy all day. But when he was informed by couriers, that were dispatched to him directly, of what the Ligurian had done, he exhorted his troops anew, led them on to the attack in person, and commanded them to cover themselves with their bucklers joined together. To terrify the enemy at a distance as well as near, he ordered the archers, slingers, and machines, to discharge all together. The Barbarians, who had succeeded several times in throwing down and burning the batteries of

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the besiegers, were full of confidence. Far from keeping behind their parapets, it was their custom to shew themselves day and night on the side of the walls, proudly insulting the Romans, reproaching Marius with the folly of his enterprize, and threatening the soldiers to make them speedily the slaves of Jugurtha.

Accordingly at this time seeing the besiegers redouble their efforts, they also redoubled their constancy and courage. But on a sudden, whilst this passed, they heard a great noise of trumpets behind them. The women and children, whom curiosity had brought upon the rampart, immediately fled: those who were nearest the danger soon followed them: and not long after, all in general betook themselves to flight, as well the armed as the unarmed. The Romans seeing their disorder, pressed them with still greater vigour, bore down all before them, put all to the sword, and advanced continually fighting, without the desire of plunder's being capable of stopping a single man of them. Thus Marius's temerity, corrected by a lucky effect of chance, made his fault redound to his honour.

L. Sylla, the Quæstor, arrived at this time in the camp with a great body of horse. Marius had left him at Rome in order to raise that cavalry in Latium, and amongst the Italian allies. This Quæstor is the famous Sylla, of whom so much will be said in the sequel. For this reason I think it necessary to make him well known. He was of the house of Cornelia, so productive of great men, and so abounding with honours. But the branch from which he descended had fallen into obscurity. I have related elsewhere the cause of the fall of this branch, where I spoke of the note of infamy inflicted upon P. Cornelius Rufinus, who was the stem of it, and after having been twice Consul and Dictator, was expelled the Senate by the Censors in the 477th year of Rome, for having above ten pounds of silver plate in his house. What is singular, this note of infamy in some measure ex-

MARIUS, CASSIUS, Consuls.

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Ant. C.
107.

tended to his descendants, none of whom attained the Consulship, though some of them had been Prætors. This decline in point of dignity was attended with indigence. Sylla inherited but a very small fortune from his father, and passed his youth in great straits. He was afterwards reproached with this by a man of sense and virtue, who hearing him boast very much of his exploits in Numidia, said to him: "And how can you be an honest man, you, whom your father left nothing, and are however so rich?" For, adds Plutarch, though manners in those days had not preserved their ancient severity, and were already much changed and corrupted by luxury, the person who speaks thus to Sylla * seems to consider as equally shameful, the squandering of a great patrimony, and not continuing in the poverty of one's ancestors. For the rest, if on the side of riches, Sylla's lot at first was hard, on that of great talents and genius, he had all that was necessary to reinstate the glory of his name. This is his picture as Sallust has given it us.

Sylla † was carefully instructed in the Greek and Roman letters, and was perfectly master of both. He had a great heart, loved pleasure; but glory more. In times of leisure, he gave himself up to his taste for pleasures and diversions; however, so as his affairs never suffered by it. He was eloquent, insinuating, an easy friend, and of incredible address in concealing and disguising his designs. He loved to give, and when his circumstances would admit of making presents, he gave of all kinds, but particularly mo-

* Εἰς τὸν οὐδὲν ἐτίθει τοῦ ἀνδρὸς ἡγεῖσθαι εὐπρίαν ἀπορίαν, καὶ τοῦ πλείονος ἀπορῆς διαφύλαξιν.

† Sulla literis Græcis atque Latinis juxta atque doctissime eruditus, animo ingenti, cupidus voluptatum, gloriæ cupidior: otio luxurioso esse, tamen ab negotiis nunquam voluptas remorata—facundus, callidus, & amicitia facilis: ad simulanda negotia altitudo ingenii incredibilis: multarum rerum, & maxime pecuniæ largitor; atque felicissimo omnium ante civilem victoriam nunquam super industriam fortuna fuit; multique dubitare fortior an felicior esset. Nam quæ postea fecit incertum habeo pudeat an pigeat differere.

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ney, with profusion. He was always fortunate, and even the most so of mankind, till the victory by which he terminated the civil war; however, his merit was never below his fortune; and it has been doubted, whether it were more just to term him brave, or happy. But after that fatal epocha to his virtue, he was no longer the same man: and perhaps prosperity never produced either more sudden, or more violent, effects.

When Sylla arrived in Marius's camp, he was absolutely ignorant of the art of war: but he was not long before he made himself a perfect master of it. He made it his particular care, amongst other things, to gain the soldiers favour by his polite and obliging behaviour. He took pleasure in serving every body that desired it; and often anticipated requests. When he received any good office from others, which he shunned as much as possible, to avoid laying himself under obligations, he considered gratitude as a debt, which he was desirous to discharge on the first occasion. On the contrary, when he had done a favour, he required no return: and the more of this kind of debtors he had, the better he was pleased. He made himself familiar, whether in serious affairs, or at games and exercises, with persons of the lowest rank. As to military functions, works, marches, guards, he discharged them with ardour, and was present every where. Far from censuring the Consul's conduct to gratify a mistaken ambition, his only care was not to be surpassed by any one in prudence and courage, and even to surpass every body if he could. Such fine qualities at first gained him the hearts both of the General and the troops: so that Sylla and Marius were friends for some time. But a good understanding could not long subsist between two men of their ambition. We shall soon see a declared enmity succeed their friendship.

Jugurtha, in the mean time, reflecting upon the loss of his best towns, and the greatest part of his treasures, perceived that he was not in a condition to support

support the war, and that it was absolutely necessary either to conquer in a pitched battle, or see himself deprived of his whole kingdom. But Bocchus, without whose aid he could do nothing, was averse to this conduct. To make him come into it, he employed his usual arts, corrupting with presents of money those who had most ascendancy over the King of Mauritania. On his side, he promised that Prince the third part of Numidia, if they should drive the Romans out of Africa; or if a peace should be concluded, that should not cost him any part of his dominions. These offers determined him.

He joined Jugurtha with a great army; and at a time when Marius least expected it, and was upon a march retiring into his winter-quarters, they both attacked him almost at the last hour of the day. They purposely chose that time, because the darkness of the night might very much disconcert the enemy, to whom the country was unknown; whereas on their side, whether victorious or defeated, night was in their favour. The surprize at first caused some confusion amongst the Romans, who had not time either to form themselves in order of battle, or to take their usual stations; the infantry being mingled pell-mell in the midst of the horse. They lost abundance of men in this first attack, notwithstanding the great valour with which they behaved. They were surrounded on all sides by the Numidians, whose number greatly exceeded theirs. However, the old soldiers, taught by long experience, and the new ones by their example, forming different companies, as chance brought them together, drew themselves up in a circle, and fronting on all sides in close order and well covered, sustained the charge of the Barbarians with intrepid bravery.

Marius, in so warm an action, capable of disconcerting the most experienced Generals, retained all his coolness of temper. With the company of horse that never quitted his person, and which he had composed, not of those most nearly attached to himself,

A. R. 645. but of the most brave, he supported his troops;
 Ant. C. 107. threw himself every moment into the thickest of the
 enemy; and not being able to make his voice be heard
 to give the necessary orders, he endeavoured to make
 himself understood by different signs with his hand.

The day was now passed, and the Barbarians did
 not cease fighting: on the contrary, conceiving that
 night gave them a great advantage over the enemy,
 they redoubled their ardour. Marius, intent upon
 securing his army a retreat, seized two hills at a small
 distance from each other, and by degrees drew off his
 troops thither, and intrenched there. The two Kings
 then, from the difficulty of following him upon those
 eminences, put an end to the battle. They however
 did not remove their armies, but made them continue
 at the bottom of the hills, which their numbers ena-
 bled them to surround.

The Barbarians, drunk in a manner with their pro-
 perity and success in the battle, passed a great part of
 the night in dancing and rejoicing, raising great cries
 according to their custom. Marius, who attentively
 observed all that passed amongst the enemy, com-
 manded his army to keep a profound silence, and for
 that purpose, ordered the different signals, usually
 made by the trumpets for the watches of the night,
 not to be sounded. But as soon as day approached,
 he commanded the trumpets to sound the charge all
 together, and the troops to march out of their in-
 trenchments with great cries on all sides. The Mau-
 ritanians and Getuli, fatigued with their nocturnal
 exercises, had hardly began to sleep. In consequence,
 awakened suddenly by this terrible noise, they could
 neither take to their arms, escape by flight, nor de-
 termine upon any thing salutary. Seeing themselves
 pressed by the enemy, without any body to encourage
 and draw them up, the tumult, surprize, and terror,
 in a manner stupified, and put them out of their
 senses. They were entirely dispersed, and abandoned
 most of their ensigns and arms; a greater slaughter
 was made of them in this battle, than in all the rest;
 drowiness

drowiness and fear, having deprived them of the means of escaping.

A. R. 645.
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Marius, after this victory, continued his march to take up his winter-quarters in the maritime cities. The great advantage he had lately gained, had made him neither less circumspect, nor more presumptuous. He marched with as much caution as if the enemy had been always in view. After having given the officers all the necessary orders, he however acted with as much care, as if he had nobody to second him. He was seen on all sides, and praised and reproached every one as they deserved. He was no less vigilant in the camp than upon the march. * He went the rounds himself, not through any distrust that his orders were not obeyed, but to make the soldiers love fatigue, by shewing them that their General shared in it with them. And indeed Marius, during this whole war, kept up the discipline rather by the sense of honour and emulation, than by chastisement and severity. And this method succeeded. The Commonwealth was as well served under his mild and indulgent command, as if he had treated his soldiers with more rigour.

After a march of four days, the Romans arrived near Cirta. Jugurtha and Bocchus came thither to attack them again, having taken their measures to do so in four different places at the same time. But Marius was upon his guard against all surprizes, and the Numidians and Moors were entirely defeated. Sylla distinguished himself in this battle. Jugurtha did wonders in it: and having killed an enemy with his own hand, he even went up to a considerable body of Roman infantry, and shewed them his bloody sword; crying out to them, that they fought in vain; and that he had just killed Marius. This lie was very near spreading terror and disorder amongst the Romans. But Sylla, and Marius himself, coming up

* Ipse circuire, non tam dissidentia—quàm uti militibus exæquatus cum imperatore labōs volentibus esset. Marius—pudore magis quàm malo, exercitum coercēbat—Nisi tamen respublica pariter, ac sævissimo imperio, bene atque decore gesta.

A. R. 645. to reanimate them, Jugurtha, after having exhausted
 Ant. C. all the resources of his address and courage, and
 107. fought tenaciously, till he remained almost alone,
 escaped with great difficulty.

This second defeat discouraged Bocchus, and made him think of separating his interests from those of Jugurtha. He accordingly let Marius know that he desired an accommodation, and that he would send two persons of trust, with whom he might enter into a conference. Sylla and Manlius were charged with this commission. Sylla was eloquent, as we have said: which advantage gained him the honour of being speaker upon this occasion. "He expressed to the King the joy he conceived that the gods had at length opened his eyes, by inspiring him with the resolution of preferring peace to war. He represented to him, that the alliance of a Prince, whose crimes were so great as Jugurtha's, was unworthy of him: That on the contrary, that of the Romans was equally honourable and advantageous. He gave him to understand, that he had in his hands the means of purchasing it; and concluded with saying, that as the Roman People knew how to repel injuries, they also knew how to reward services: and that they never suffered themselves to be outdone in generosity and gratitude." Bocchus, on his side, to justify his conduct, complained, that he had been refused at Rome the alliance which he had demanded by his Ambassadors: he offered however to send others thither, if Marius approved it. Accordingly, some time after, he chose five out of those in whom he reposed most confidence, and made them set out with full powers to conclude a peace at any price whatever.

These Ambassadors were met by Getulian robbers, who stripped them of every thing, and treated them with great cruelty. They accordingly came to Sylla in a very bad equipage, who commanded in the absence of Marius, who was then employed in attacking a fort in desert and remote places. Sylla, who was naturally generous and magnificent, instead of despising
 the

the Mauritanian Ambassadors in the sad condition wherein they joined him, gave them a very good reception, and treated them splendidly during forty days, till the General returned. By this means he gained their confidence, and by them that of their master, of which he made such great advantage in the sequel. When Marius arrived, the Mauritanians, directed by Sylla's advice, demanded a suspension of arms, and permission to go to Rome. Their demands were granted: and immediately two of them returned to Bocchus, to give him an account of their negotiation, and the other three set out for Rome.

A. R. 645.
Ant. C.
107.

When they arrived there, they applied to the Senate, and, according to their instructions, said, that Bocchus had been surprized by the artifices of Jugurtha; that he repented of his fault; and that he asked the alliance and amity of the Romans. They were answered in these terms: “ * The Senate and People of Rome forget neither services nor injuries. As Bocchus repents his fault, they grant him pardon. As to their alliance and amity, he will obtain them when he shall have deserved them.” What a stile, what haughtiness is this! Could we believe that it is to a powerful King this answer is addressed?

The new Consuls were undoubtedly in office, when this passed.

C. ATILIUS SERVANUS.

A. R. 646.
Ant. C.
106.

Q. SERVILIUS CÆPIO.

This year is famous for the birth of Cicero, and that of Pompey.

When Bocchus had received the Senate's answer, he wrote to Marius, who had been continued in command, to desire him to send Sylla to him, in order to their conferring together. Marius made him set out with an escort of a small body of horse and foot, with

* S. P. Q. R. beneficii & injuriæ memor esse solet. Ceterum Boccho, quoniam pœnitet, dilecti gratiam facit. Fœdus & amicitia dantur, quum meruerit.

A. R. 646.
Ant. C.
166.

some light-armed troops. He had several subjects for disquiet in his march, at first through the unexpected meeting of Volux, the son of Bocchus, who appeared with a thousand horse; and soon after of Jugurtha himself. Sylla believed himself betrayed by Volux, when he saw the King of Numidia with forces considerably superior to his own so near him. He however was neither discouraged, nor conceived thoughts of revenging himself upon the Moorish Prince: and this proved well for him. Volux acted with fidelity: and they passed together quite through Jugurtha's camp, without the latter daring to attack the Romans, whom he saw escorted by the son of him in whom all his hopes were placed. Sylla, in consequence, arrived in safety at the court of Bocchus. In the secret conference they had together, the King of Mauritania at first, in order to deserve the alliance of the Roman People, seemed to confine himself to the offer he had made, to intermeddle no farther in Jugurtha's affairs, and not to aid him with either troops or money. Sylla gave him to understand, "that the Romans would not be satisfied with that kind of neutrality. That to obtain their amity, it was necessary to do them an effectual service: that he had the power in his own hands; and that to deliver up Jugurtha was at his discretion. That in that case the Romans would have an obligation to him; that their alliance and amity would be assured effects of it; and that they would add to his dominions the part of Numidia, to which he pretended to have a right." Bocchus expressed great repugnance to this proposal. Whether he was really shocked at it, or to preserve some outside of probity, which the most wicked do not avowedly renounce; or lastly, to sell his crime the dearer, he represented, "that there was an alliance subsisting between him and Jugurtha, as well as a very near affinity both by birth and marriage: and that if he should break his faith with him, he should risque alienating the affection of his own subjects, who hated the Romans, and loved Jugurtha very much."

Sylla

Sylla was not discouraged by this refusal, and renewed the attack so often, that he at length extorted a promise from him, to do what was necessary for deserving the amity of the Romans.

Whether Bocchus made this promise sincerely, and with a resolution to keep it, is matter of great doubt; for at the same time he was actually treating with Jugurtha, at whose court he had an Ambassador. He even promised to deliver up Sylla to him, upon the Numidian's having remonstrated, that that was the only means to bring the Roman Senate into a good peace, which would never leave an illustrious person long in chains, that had incurred them by exposing himself for the service of the Commonwealth. Thus did this Barbarian engage himself in a double treachery, giving good words both to Sylla and Jugurtha's Ambassadors; promising the Roman to deliver up the Numidian, and the Numidian to deliver up the Roman. A conference was accordingly agreed upon, under pretext of treating of peace; but neither Sylla nor Jugurtha came to it, because each was assured that his enemy was upon the point of being delivered up to him.

The night before the day fixed for the interview, Bocchus was in a strange perplexity. The nearer the moment for deciding approached, the more his uncertainties increased. His inclination was for favouring Jugurtha; but fear reduced him to espouse the Romans. The agitation of his mind appeared in his countenance. His actions, his air, his whole deportment, which changed every moment, spoke the different sentiments he felt within. At length fear, the all-powerful motive of little abject souls, prevailed. He sent for Sylla, and concerted measures with him for seizing the Numidian. The conference was held; and Jugurtha being come to it without arms, and with little or no guard, persons placed in ambuscade killed all that attended him, seized himself, loaded him with chains, and in that condition put him

into

A. R. 646. into Sylla's hands, who immediately carried him to
Ant. C. Marius.
106.

Thus ended the war in a manner wholly for the honour of Sylla, if there can be honour in conquering by the perfidy of another. However it were, Marius, in just return for having deprived Metellus of the glory of completing the conquest, was himself deprived of that of the last act that determined it.

Plut. in
Mar. &
Syll.

This adventure was the more affecting to him, as Sylla openly triumphed upon it without any reserve. He acted on this occasion, says * Plutarch, like a young man immoderately greedy of, and flushed with, glory, of which he now first began to taste the charms. Instead of ascribing the honour of this event to his General, as he was obliged to do by his duty, and as he ought to have made an inviolable rule, he assumed the greatest part of it to himself, and had a ring made, which he always wore, and used as a seal, on which he was represented receiving Jugurtha from the hands of Bocchus. Marius, stung to the heart by this kind of insult, never forgave it. And this was the origin of that implacable hatred which afterwards broke out between those two Romans, and which cost the Commonwealth so much blood.

A. R. 647.
Ant. C.
105.

P. RUTILIUS RUFUS.

Cn. MALLIUS MAXIMUS.

Marius passed the greatest part of this year still in Africa, no doubt employed in regulating his new conquest. It is not easy to say exactly what those regulations were. But Numidia was not then reduced into a Roman province, and we shall again see Kings of Masinissa's race rise up.

Marius was still in Africa, when he received news that he was elected Consul for the second time. The extreme danger of Italy, which was threatened with

* Οἷα νέος φιλότιμος, ἀπὸ δόξης ζήλου μὲν, καὶ ἡλικίας καὶ τοῦ ἐνδοξοῦ.

PLUT. præcept. reip. ger. p. 806.

an invasion by the Cimbri, after the bloody defeat of Cæpio and Mallius in Gaul, had made it necessary to break through all rules and party interests, to reinstate a person in office at the end of three years, who had found so much difficulty to attain the Consulship for the first time, but who was then considered as the sole resource of the Commonwealth.

He therefore immediately returned to Italy, and entered Rome in triumph on the first day he entered upon office, that is, on the first of January; exhibiting a sight to the Romans, which they could scarce believe even when they saw it, Jugurtha, a captive and in chains: that formidable enemy, during whose life they could not so much as flatter themselves that they should see an end of the war; so united in him was valour with arts and stratagems, and so fertile was his genius in resources, even in the midst of the most desperate misfortunes. His two sons followed him in this mournful ceremony. It is said, that in the procession, he appeared like a man out of his senses. He was thrown into a dungeon, where the goalers, in their haste to strip him of his spoils, tore his robe to pieces, and pulled off the tips of his ears for the sake of the pendants he wore in them. He passed six whole days in that horrid prison, struggling with famine, and retaining to the last moment an ardent desire to live: a fit end, adds Plutarch, a due reward for his atrocious crime. It is of good example, that such vile wretches as he do not escape the divine vengeance even in this life.

Marius, either through absence of mind, or haughtiness, entered the Senate, after the ceremony, in his robe of triumph, which was without example. He perceived, that the whole presence was surprized and shocked at that innovation. He quitted the hall that instant, and returned in the usual habit, that is, the robe bordered with purple. He however had still on a simple iron ring; it was not till his third Consulship that he assumed a gold one.

Plut. in
Mario.

Plin.
xxxiii. 1.

The second example is of another Fabius, who having imitated the irregular conduct of his father, Fabius D. E. T. A. C. H. E. D. F. A. C. T. S.

A. R. 643.

Before * I proceed to relate the war with the Cimbri, I shall give some facts a place here, which have little connexion with the history in general, and however deserve not to be omitted.

Scaurus in his Censorship, which was during the Consulship of Metellus Numidicus and Silanus, furnished a new proof of his obstinate and untractable disposition. For his Colleague, M. Drusus, being dead, he pretended, contrary to invariable custom, to continue in office, though in the like case the surviving Censor was obliged to abdicate. But the Tribunes of the People, by threatening to put him in prison, compelled him to submit.

His Censorship, though abridged in this manner, was however famous for works that do him honour. He made a great highway, which began at Pisa, and extended across part of Liguria. The building also, or at least the rebuilding, of the bridge Milvius, now called Ponte Mola, over the Tiber, at a small distance from Rome, is ascribed to him.

The same times almost give us two examples of the excesses into which vice sometimes hurries young persons, even of illustrious birth, and of the misfortunes that attend them. The son of Fabius Servilianus, having abandoned himself to the most infamous course of life, his father first banished him into the country, and then caused him to be put to death by two slaves, whom he made free, in order to exempt them from enquiries. He * was however prosecuted on that account, and banished to Nocera in Campania.

* This article of Detached Facts is the Editor's.

† Romulus had given to fathers power of life and death over their children. But it however appears from this example and some others, that the excessive rigour of fathers was subject to the enquiries of the laws and magistrates.

The second example is of another Fabius, who having imitated the irregular conduct of his father Fabius Allobrogicus in his youth, did not follow his example in his amendment. He carried the excesses of debauchery and extravagance to such an height, that the Prætor was forced to interdict him, and appoint him a keeper. Thus the State supplied what paternal authority ought to have done; and the person * whom the too great indulgence of his father had constituted heir of his fortunes, the severity of the magistrate disinherited.

The exact date of these two facts is not certain, but cannot be far from the times of which we have now been speaking.

I shall give two trials a place here, that are at least memorable in respect to the persons they concern. The first regards one T. Albucius, a singular man, and one who proves, that if learning adorns and improves solid geniusses, it only hurts little minds, or weak heads. This Albucius was Greek mad, so much as almost to renounce his mother tongue, and chose rather to pass, as the poet Lucilius reproaches him, for a Greek than a † Roman. The same poet relates on what occasion he was very agreeably turned into ridicule upon this caprice. ‡ Scævola, on his way to his government of Asia, passed through Athens. Albucius, who was in that city, coming to pay his respects to him, Scævola saluted him in Greek; at the same time his whole train, all his officers, even to the Lictors, did the same, so that Albucius heard nothing around him but the word *χαῖρε* (save you) re-

* Quem nimia patris indulgentia hæredem reliquerat, severitas publica exhæredavit. VAL. MAX. iii. 4.

† Græcum te (Scævola speaks) Albuci, quam Romanum atque Sabinum.

Maluisti dici. Græcè ergo prætor Athenis, Id quod maluisti, te, quum ad me accedi, saluto.

Χαῖρε, inquam, Tite: λῆτορες, τὴν μὲν ὅλην, cohorsque;

Χαῖρε Tite. Hinc hostis mi Albucius, hinc inimicus;

LUCIL. apud CIC. I. de Fin. 9.

‡ This is Scævola the Augur, Lælius's son-in-law, who is one of the speakers in the dialogue de Amicitia, and book I. de Oratore.

peated by all that were present. This jest stung him sensibly ; and as all the philosophy he had studied in the Greek books had taught him neither more moderation, nor made him a greater master of his temper, he conceived so much resentment upon the occasion, that he resolved to be revenged. When Scævola returned to Rome, he accused him of extortion. But the probity of that irreproachable person easily refuted this accusation, which turned only to the confusion of its author.

He was not so fortunate himself when he was in the like case. Albucius was Prætor about the 647th or 648th year of Rome, and being sent into Sardinia, he gave chase to some wretched bands of robbers. After which, with as much pride as if he had gained some important victory, he exhibited in his province the ceremony of a kind of triumph. At the same time he wrote to the Senate, to demand that public thanksgivings should be decreed at Rome for the advantages he had gained over the people of Sardinia. Till then there had been no example of refusing a General the like request. But besides that the exploits of this person little deserved such an honour, the vanity, with which he had crowned himself with his own hands, drew upon him a disgrace which nobody had experienced before him. He was rejected ; and that was not all. On quitting his province, he was accused of extortion by the people of Sardinia. He had evidently not learned in the school of Epicurus, whose opinions he followed, highly to respect virtue, and to prefer his duty to his interest. He was condemned in consequence, and banished to Athens. A little adversity does some people much good. Albucius was of this number. He bore his banishment more honourably than good fortune. He consoled himself with philosophy, sometimes also amusing his time in composing satires after the manner of Lucilius.

Afc. Ped.
in Orat.
pro M.
Scauro.

About the same time, Scaurus, Prince of the Senate, who had been Consul and Censor, was accused before the people by Cn. Domitius, who was Tribune during

during the third Consulship of Marius. The matter in question was a very great crime; but mentioned only in indefinite terms by the single author that speaks of it. Domitius accused Scaurus of a kind of profanation of certain sacrifices of the Roman People, and in particular of those celebrated in honour of the *Dii Penates* [household gods] of Troy, brought, as was said, into Italy by Æneas. The accuser was very warm: for he had cause of personal enmity to Scaurus; who had prevented him from being chosen to succeed his father in the office of Augur. However, he had generosity enough to refuse the secret memoirs one of Scaurus's slaves brought him against his master. He conceived horror both for the traitor and the treason, and sent that wretch back to his master. We have seen a like circumstance of the orator L. Crassus in respect to Carbo. And these two examples give Valerius Maximus occasion to cry out: "How * must justice have been observed in those days between friends, when it took place to so great a degree between accusers and the accused?" Scaurus was acquitted, but not without great difficulty. Of the thirty-five Tribes three condemned him: and even of those who favoured him, the number of the suffrages for acquitting him did not much exceed those against him.

Domitius not being able to revenge himself on Scaurus, attacked the whole body of the publick Priests of Rome, whom he deprived of a very fine privilege. The publick Priests, that is, the Augurs and Pontiffs, were in possession of a right to fill up the vacancies in their colleges by co-optation. The irritated Tribune caused a law to pass, which transferred that right of election to the People. But as Cic ii in respect for religion did not permit that the people ^{Rullum,} should confer the title, Domitius regulated that, ac- ^{n. 13.}

* Quo pacto igitur inter amicos viguisse tunc justitiam credimus, quum inter accusatores quoque & reos tantum virum obtinuisse videamus! VAL. MAX. iv. 4.

according to the custom already established in respect to the Pontifex Maximus. The least half of the People were assembled, that is, seventeen Tribes only, drawn by lot: and the person who had the plurality of suffrages in this assembly of seventeen Tribes, was chosen by the Pontiffs. The Tribune caused it to be decreed, that the same thing should be done in respect to all the other places of Pontiff and Augur. He was well rewarded for his trouble; for soon after he was elected Pontifex Maximus himself.

T H E

ROMAN HISTORY.

BOOK THE THIRTIETH.

THIS book, to begin at the Consulship of Rutilius, contains the space of fourteen years, from the 647th to the 660th year of Rome. It contains principally the war with the Cimbri, the second revolt of the slaves in Sicily, the sedition of Saturnius, the banishment and recal of Metellus Numidicus, and several memorable trials.

S E C T. I.

*Of the Cimbri and Teutones, German nations. Incur-
sions of those nations into different countries. They are
attacked in Noricum by the Consul Carbo, and defeat
him. They move into the country of the Helvetii.
The Tigurini and Tugeni join them. They beat the
Consul Silanus in Gaul. The Tigurini gain a great
victory over the Consul L. Cassius. The Consul Cæpio
plunders the gold of Toulouse. Cn. Mallius, a man of
no merit, is made Consul, and sent into Gaul to sup-
port Cæpio. Dissension between Cæpio and Mallius.
Aurelius Scaurus defeated and taken by the Cimbri.
Terrible defeat of the Roman armies. The Cimbri re-*

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solve to march to Rome. Alarm and consternation of the Romans. Rutilius exercises and disciplines the troops perfectly. Marius is elected Consul for the second time. The Cimbri set out towards Spain. The marching of the Cimbri into Spain leaves Marius time to form his troops. Generous action of Marius. He digs a new canal for the Rhone. He is elected Consul for the third time. Sylla persuades the Marfi to enter into an alliance with the Romans. The Cimbri are defeated in Spain. Marius is elected Consul for the fourth time. The Cimbri and Teutones separate, and the Consuls also. Marius declines fighting with the Teutones. Martha, a Syrian woman, given out by Marius for a prophetess. Marius refuses a single combat. The Teutones continue their march, and advance towards the Alps. They are entirely defeated by Marius near the city of Aix. The Roman army presents Marius with the spoils, who causes them to be sold at a very low price. Marius, whilst employed at a sacrifice, receives advice that he is elected Consul for the fifth time. The Cimbri enter Italy. They force the pass of the Adige. Marius joins his army with that of Catulus. Battle fought near Vercelle. The Cimbri are entirely defeated. The news of this victory occasions incredible joy at Rome. Marius triumphs jointly with Catulus. Misfortune of Cæpio. He makes himself agreeable to the Senate by a law which restores the administration of justice in part to that order. He is divested of command, and his estate is confiscated. He is afterwards excluded the Senate. He is again condemned by the People for plundering the gold of Toulouse. Consequences of that sentence.

THE * Cimbri and Teutones, who made the Romans suffer the bloodiest defeats, and before whom Rome trembled at the time of its greatest power, were a people that came from the north of Germany,

* The beginning of this book, to the Consulship of Rutilius, is the Editor's.

and the coasts of the Baltick sea. I do not enter into the antiquity of these people, which is foreign to my subject. It suffices to observe, that from the earliest times it had been the custom of the Celtick and Germanick nations, to transplant themselves with their wives and children, and to go in quest of settlements in remote countries. Europe and Asia were full of their colonies. The northern nations were always the terror of the southern.

Those of whom we speak having advanced at first towards Bohemia, were repulsed by the Boii, inhabitants of the country, who still retain that name *. They afterwards approached the Danube, which they passed, and went on as far as the country of the Scordisci, who are placed upon the banks of the Save. From thence, turning westward, they entered the country of the Tauristæ or Taurisci, which answers to that we now call Stiria. All the nations, through which we have just traced the route of the Cimbri and Teutones, were Gauls by origin. It does not appear that they either could, or would, fix in any of these regions. Therefore, continuing their march, they entered Noricum, where they had made their usual ravages: and it was here they first found themselves embroiled with the Romans.

This country, which contains very near what we A. R. 639. now understand by the names of the Upper Austria, and the Circle of Bavaria, placed the Cimbri at too small a distance from Italy, not to give the Romans jealousy. The Consul Cn. Papirius Carbo posted himself in the passes of the Alps to intercept them. But perceiving that the Barbarians seemed to have quite different designs, he became bolder, and sent Deputies to ask with menaces, why they ravaged the territory of the Norici, who were the friends of the Romans. There was however no treaty subsisting by which the Romans were obliged to take upon them

* From the name Boii, Boiohenum was formed, which we call Bohemia.

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the defence of that people. The Cimbri appointed Ambassadors to carry back their answer, which was conceived in very moderate terms. They protested, "That they respected the Roman name: That they would not attack any nation in alliance with Rome: That they were going to quit Noricum, and seek a settlement in countries about which the Romans would have no reason to concern themselves." The Consul probably taking that for fear, which proceeded from the moderation of these Barbarians, who were more equitable than himself, believed it highly prudent to endeavour to surprize them. He gave their Ambassadors guides, who conducted them much round about, and marching his army by shorter ways, he advanced against the Cimbri, whom he found incamped near Norcia, a city which Freinshemius believes to be Goricum in Carinthia. His stratagem proved unsuccessful. The Barbarians, though surprized and attacked in the night, found refuge in their courage. The Consul was repulsed with loss; and if a great rain had not put an end to the battle, the Roman army would have been entirely cut in pieces. The victors did not take any advantage of their success; and, for what reason cannot be said, turned towards Gaul and the Helvetii.

Strab. l. iv.
p. 193. &
l. vii. p.
293.

The latter, now the Swiss, far different then from what they are in these days, were very rich, according to Strabo, and had great quantities of gold. But as they saw their new guests were become richer than themselves by the plunder of so many countries, they liked the trade, particularly the Tigurini (the people of Zurich), and the Tugeni (those of Zug). The natives of those two cantons joined the Cimbri: but it is hard to fix the date of this junction, which might perhaps not have taken place till some years after the defeat of Carbo, as we shall soon say.

A. R. 643.

We lose sight of the Cimbri for three or four years, at the end of which they appear again in Gaul, demanding lands of the Consul Silanus to settle in; and on that condition, offering to serve the Romans in war.

They

They were far from accepting those offers. The Cimbri therefore resolved to obtain that by force which had been refused to their request. They attacked the Consul, and gained a second victory over the Romans.

Two years after, the Tigurini crossed the country of the Allobroges, in order to join the Cimbri, and defeated another Roman army, commanded by the Consul L. Cassius. That Consul fell in the battle himself, with L. Piso, his Lieutenant, a person of Consular dignity. The other Lieutenant, whose name was C. Popilius, could not save the remains of this unfortunate army but at the expence of its honour. Their lives were granted them only, upon condition of passing under the yoke, and leaving all their baggage at the discretion of the enemy. Popilius, at his return to Rome, was accused before the people, and prevented an inevitable condemnation by banishing himself. A. R. 645.

So many repeated defeats were only the prelude of one more horrid and bloody, which the Romans soon sustained from the same enemy, and of which a more particular account is come down to us in the ancient monuments.

The principal author of the dreadful disaster I am going to relate, was Servilius Cæpio, a rash, arrogant man, and of such avidity, that to enrich himself, peculation and sacrilege were nothing with him. Being Consul the year after the defeat of L. Cassius, and going into Gaul against the Cimbri, he signalized the beginning of his military expeditions by plundering the gold of Toulouse, a place so famous in the ancient world. The inhabitants of that city, who were before the allies of the Romans, having been drawn into a revolt by the promises of the Cimbri, surprized and laid the Roman garrison in chains. Cæpio marched against them, and with the assistance of intelligence in the place, entered Toulouse, and abandoned it to be plundered by the soldiers. Nothing was spared : all things sacred and profane were A. R. 646.

the prey of the troops: But the most extraordinary part of the booty was an immense weight of gold taken out of the temples, and a lake near the place, which is said to amount to at least the value of fifteen thousand talents, or about two millions two hundred and fifty thousand pounds sterling.

This gold, authors say, was originally taken out of the temple of Delphi, and brought from thence to their own country by the Tectosages, who accompanied Brennus in that expedition. But the most judicious writers consider this tradition as a fable. According to them, the Gauls being very rich, little addicted to luxury, and extremely superstitious, consecrated treasures to their gods, and often deposited them in lakes and marshes, into which they threw their gold and silver in ingots. And when the Romans became masters of the country, on selling or letting these lakes to particulars, it frequently happened that those who bought or farmed them, found golden bars in them.

Cæpio, when possessed of so rich a prey, converted the greatest part of it to his own use. Very little of it was brought into the publick treasury of Rome. And Orosius even tells us, that the Consul having first sent away these treasures under a guard to Marseilles, secretly caused that guard to be assassinated on their way, and in that manner seized the whole. He was severely punished, as we shall see in the sequel, for his horrid avidity. His whole future life was one continued series of misfortunes: and all those who had shared in the sacrilege came to such miserable ends, that to express a man supremely unfortunate, it became a proverb to say, he had shared in the gold of Toulouse.

It had been a part of wisdom in the Romans to have recalled such a General after the expiration of his year, and to make choice, against such formidable enemies, of Consuls capable of opposing them. Regard was had neither to the one nor the other of those objects, at once so important and so simple. Cæpio was continued in the command in Gaul: and as to the

Posidon.
apud
Strab.l.iv.
p. 188.

Oros. v.
15.

Aul. Gell.
iii. 9.

the election of Consuls, the caprice of the multitude decided it. Amongst others, two candidates who merited the whole esteem and confidence of the Roman People offered themselves; these were Rutilius and Catulus. Rutilius was the most virtuous citizen of Rome, and after having served under Scipio Africanus at the siege of Numantia in his youth, he had formed himself entirely in the art military under Metellus Numidicus, whose Lieutenant-General he had been with Marius. Catulus was infinitely deserving in every respect, and we shall see him in the sequel share the glory of the last victory over the Cimbri with Marius. Rutilius was actually elected Consul; but a person was preferred to Catulus, whom Cicero describes in four words, that he was not only * of mean birth, but had neither merit, genius, nor morals. His name was Cn. Mallius. And as if chance had been of intelligence with the caprice of the multitude, of the two provinces allotted to the Consuls, the one in Italy, the other in Gaul, Rutilius had the first; and the second, which related to the Cimbri, fell to Mallius, who was accordingly sent into Gaul with a new army to support Cæpio. Thus of the two armies sent by the Romans against the Cimbri, the one had a rash man at its head, and the other one of no capacity. And to compleat the misfortune, discord arose between them.

P. RUTILIUS.

Cn. MALLIUS.

A. R. 647.

Ant. C.

105.

Never had union between Generals been more necessary than in the present conjuncture of the Roman affairs: but never were Generals so ill-suited to them. Cæpio was proud and contemptuous: and Mallius was unfortunately too worthy of contempt. He was however Consul in office, and in that quality had a

* Non solum ignobilem, verum sine virtute, sine ingenio, vitâ etiam contemptâ & sordidâ. Cic. pro Planc. n. 12.

A.R. 647.
Ant. C.
105.

right to take place. But the Proconsul regarding only the unworthiness of the person, and not the authority of his office, would do nothing in concert with him. He pretended that his was a separate province, and placed the Rhone between him and the Consul.

This was the worst conduct he could have chosen : and he had soon reason to be convinced of it. M. Aurelius Scaurus, a person of Consular dignity, and one of the Consul's Lieutenants, was defeated by the Barbarians, with a considerable detachment, which he commanded, and remained prisoner in the hands of victors. Immediately after this blow, the Consul sent to desire Cæpio to join him as soon as possible with his army. The latter brutally answered, that each of them ought to keep within his own province for the defence of it. But soon after, fear, lest the Consul should have all the glory of the victory, which he considered as certain, induced him to change his opinion. He therefore approached the Consul, but did not encamp in the same place, and had no communication with him. He placed his camp between the army of Mallius, and that of the Cimbri, in order to be ready to attack the enemy first, and not to divide with any one the glory of their defeat.

When the Cimbri were apprized of the junction of the two Roman armies, supposing it the effect of a reconciliation, for they had been informed of the discord that prevailed between the Generals, they sent Deputies to the Romans to treat of peace. Cæpio, into whose camp they first entered, seeing that it was not to him, but to the Consul, they had orders to address themselves, conceived a mean and ridiculous jealousy of it, and far from giving them pacifick language, was very near ordering them to be put to death.

This violent manner of treating the Deputies, was extremely condemned in his camp. What fatal consequences the dissension of the Generals might have, were

were perceived; and it was apprehended, that it might occasion the entire destruction of the two armies. Such strong remonstrances were made in consequence to Cæpio, that he repaired, in a manner through force and against his will, to the Consul's camp. The council of war was assembled, to deliberate upon the measures it was proper to take. Nothing was concluded in it. The whole time passed, on both sides, in disputes, reproaches, and gross affronts. The two Generals parted more embroiled than ever.

A. R. 647.
Ant. C.
105.

So wretched a conduct had the deserved issue, and drew upon the Romans the most horrible defeat they had ever sustained. No particulars of this bloody action are come down to us. We even do not know exactly the place where it happened; which we may however conjecture not to have been far from Orange. We are only told by some abridgers, that the slaughter was dreadful, and almost incredible. The two armies were entirely cut to pieces, and both camps were taken. The number of the slain is said to have amounted to fourscore thousand soldiers, as well Romans as allies, in which are included two sons of the Consul, and forty thousand servants and followers of the army. Some affirm, that only ten persons escaped to carry the news of the slaughter. The Cimbri before the battle had made a vow, which was common enough in those days with the Gauls and Germans, to sacrifice to the gods, and to destroy all that should fall into their hands. They punctually performed this barbarous vow. The gold and silver were cast into the Rhone; the baggage was torn in pieces; the arms, cuirasses, and bridles, were broken; the horses were drowned, and the men hanged upon trees. The famous Sertorius, who was then very young, and served in Cæpio's army, had sufficient strength and courage to swim over the Rhone, armed as he was with his cuirass and buckler.

Liv. Epit.
67.
Oros. v.
16.

Eutropius and Orosius mention four nations who shared in this victory; the Cimbri, Teutones, Tigurini.

A. R. 647. rini, and Ambrones. Plutarch ascribes the principal
 Ant. C. glory of it to the last, who appear to have been one
 105. of the Swiss Cantons. He speaks of them, as of the
 bravest and most terrible of the whole allied army.
 They were thirty thousand in number.

After so great a victory, they deliberated on the necessary means for improving their advantage. They were not divided in opinion. It was agreed, that it was not proper to give the enemy time to look about them. The Barbarians, having so easily defeated those they had attacked, resolved not to stop, nor settle any where, till they had ruined Rome, and ravaged all Italy. They were however previously for consulting Aurelius Scaurus, whom they had taken in the first battle. They caused him to be brought into the assembly, to which, according to the custom of the nation, they repaired compleatly armed. The chains, which he had on his hands and feet, did not bind his tongue. Being asked his thoughts concerning their design to pass the Alps, in order to march against Rome, he endeavoured to divert them from it, as from a chimerical and impracticable project; exalting the power and greatness of the Romans, which no human force was capable of subduing. Boiorix, one of the Kings of that nation, a young and violent Prince, could not hear a captive continue speaking with so much freedom and boldness, and thrust his sword through him.

It is not easy to conceive the alarm and consternation which so terrible a loss occasioned at Rome, that threatened still more dangerous consequences. A dreadful cloud of Barbarians were at the very gates of Italy, three hundred thousand men bearing arms, and followed by their wives and children, not so much to make war against Italy, as to subject it entirely, settle in its cities, possess its lands, and extirpate most of its inhabitants. Fame from the beginning had spread terrible things of their strength, great stature, and valour, or rather ferocity, that bore down and ravaged all before them like an impetuous torrent :

rent : and the effects still exceeded all that report had hitherto said of them.

A. R. 647.

Ant. C.

105.

The first thing done was to recal Cæpio, who had not been ashamed to survive a disaster of which himself had been the principal cause. I shall make the different sentences passed upon him a separate article in the sequel. As to the Consul Mallius, nothing more is said of him in history. Rutilius, his Colleague, was appointed to make new levies for opposing the Barbarians, and he perfectly acquitted himself of that commission. For he not only raised soldiers, but exercised them with infinite care. He even introduced the custom unknown before, of giving them masters, to teach them to fence, in order that they might be capable of uniting address with courage on occasion. For this purpose he employed the masters of the gladiators ; thereby converting an art, that had hitherto been destined only to the inhuman diversion of the multitude, to the utility of the Commonwealth. This practice was adopted by succeeding Generals : and in later times, mention is made of these fencing-masters for the soldiery, under the name of *Campi doctores*. The good discipline established by Rutilius in his army, may also be judged from the conduct he observed in respect to his own son. Instead of keeping him about his own person, with greater conveniences and distinction, he made him only a private legionary soldier ; in order that he might form himself for commanding by learning to obey in the lowest rank of military life. It was in this manner that Rutilius prepared soldiers for Marius, and conquerors for the Cimbri. For it was this army that Marius, when appointed to act against the Cimbri, chose, in preference to that with which himself had conquered Jugurtha.

We have already said, that Marius, whilst still in Africa, and only three years after he had been elected Consul for the first time, was again raised to that supreme dignity, though it was not the custom to elect an absent person, and the laws required an interval of

ten

years between a first and second Consulship. But on this occasion the publick utility took place of custom and the laws. F. Flavius Fimbria was given him for his Collegue.

A. R. 648.

Ant. C.

104.

C. MARIUS II.

C. FLAVIUS FIMBRIA.

The Romans, always wise in adversity, had at last taken the most effectual measures against the storm that threatened them. But those measures would perhaps have been too late, if Providence, that was watchful for the preservation of Rome, and which had destined that city to be the capital, and mistress of the universe, had not taken care early to remove the danger. The time was not yet come when the Roman empire was to be the prey of Barbarians. We left the Cimbri in the resolution of marching against Rome: and if they had immediately put that resolution in practice, every thing was to be feared. But, without any known reason, they turned their backs upon Italy, and after having ravaged the whole country between the Rhone and the Pyrenees, they entered Spain. The Romans in consequence had time to recover from their terror, and Marius to exercise and form his soldiers, to enure them to labour, to exalt and confirm their courage, and above all to make himself acquainted with them, and to accustom them to his discipline. For instead of the indulgence and lenity ascribed to him by Sallust, in respect to the troops of Numidia, as we have seen, Plutarch describes him here as very rigid with regard to those now under his command. "His rough and fierce demeanour," says he, "which they could not endure at first, and his inflexible austerity in punishing, as soon as they were accustomed to rule and obedience, seemed not only just, but salutary. They grew familiar with all that was terrible in him; the sharpness of his anger, the amazing roughness of his voice, the haughtiness of his looks, and the stern air of his countenance;

Plut. in
Mar.

countenance; and conceived all this ought not to give them, but his enemies, terror.”

A.R. 648.
Ant. C.
104.

An action of justice and equity much conciliated every body in his favour. His nephew, C. Lusius, who served under him as a legionary Tribune, an officer of corrupt manners, having at different times used great solicitations to debauch a young soldier under his command, and finding him always inflexible, had at length recourse to violence. * The soldier, chusing rather to expose himself to the danger of death, than to consent to such an infamous crime, ran Lusius through with his sword. He was cited before Marius, as deserving death for killing his officer. When that General had heard what had passed from the soldier's own mouth, for nobody had dared to take upon him his defence, and had been assured by the evidence of some witnesses, that Lusius more than once had made the young man infamous proposals, he caused one of the crowns, usually given as a reward of the most glorious actions, to be brought, and crowned the soldier with it himself, exhorting him always to retain the same sentiments of probity and honour.

Plut. in
Mar.

This was however not a year of entire leisure to the Romans in respect to military expeditions. But the accounts of them come down to us are so little circumstantial, that all we know of them is, that Sylla, who was then Marius's Lieutenant, beat the Tectosages, a people on the banks of the Garonne, whom we have spoke before, and took their General Copillus prisoner.

Plut. in
Syll.

I think we may ascribe to this or the ensuing year the new canal of the Rhone, made by Marius, though Plutarch does not speak of it till his fourth Consulship. Such a work seems to agree with the leisure the Barbarians gave him at first. As he had most of his pro-

* Interfectus ab eo est cui vim afferebat. Facere enim probus adolescens periculose, quam perpeti turpiter maluit. Atque hunc ille vir summus [Marius] scelere solutum, periculo liberavit. Cic. pro Mil. 18.

A. R. 648.
Ant. C.
104.

visions from the sea by the Rhone, he observed that the entrance of that river was difficult, because the mouths of it were full of mud, and vast quantities of sand, brought thither by the sea. He therefore caused a new canal to be dug by his soldiers, which beginning at the Rhone below Arles, crossed the plain of Crau, as far as the village of Foz, the name of which is a monument subsisting of that ancient work, which the Romans called Fossa Mariana, and which probably ended at the tower of Bouc or Embouc. After the victory, Marius abandoned the canal to the Massylii, (people of Marseilles) in reward for their good and faithful services. That people drew a considerable revenue from it during some time. But it has been again filled up with sand for many ages. Honorius Bouche, in his chorography of Provence, says, that the Galejon is a remainder of it. This is a lake which empties itself into the sea, and formerly communicated with the Rhone by a canal called Bras mort : for four-score years past it has been shut up with large palisades.

Plut. in
Mar.

The time for electing new Consuls being arrived, every body were again inclined in favour of Marius. The Barbarians were expected, and the Romans seemed determined to fight those terrible enemies only under his command, and with him at their head. He was accordingly elected Consul by the people for the third time, and the Senate again decreed the province of Gaul to him, contrary to custom, and without drawing lots; and that with the advice of Scaurus, the Metelli, and all the Nobility. In great dangers the interest of the publick prevailed over private resentment.

A. R. 649.
Ant. C.
103.

C. MARIUS III.

L. AURELIUS ORESTES.

The Cimbri did not return so soon as was expected, and Marius's third Consulship passed without any considerable event. Sylla however acquired new glory

in it. He served this year as a legionary Tribune; and brought over the numerous nation of the Marfi to the Romans, who must have been a German people in alliance with the Cimbri, and other Barbarians.

A. R. 649.
Ant. C.
103.

Sylla's glory, which continually increased, gave Marius still more and more jealousy. Seeing therefore that that General suffered him with pain, gave him no longer any honourable commissions, and on the contrary opposed his advancement on all occasions, he quitted him, and attached himself to Catulus, who the following year was elected Marius's Collegue in the Consulship.

The Cimbri were not successful in their expedition in Spain. The Celtiberians defeated them. But their loss could not have been considerable. They returned to join the Teutones, and prepared at length to attack Italy with their whole force.

Before the Barbarians were rejoined, Marius was elected Consul for the fourth time. His Collegue, L. Aurelius, being dead, he was obliged to go to Rome to preside in the assemblies, leaving his army under the command of Manius Aquillius. Many persons of great merit stood for the Consulship: but Saturnius, Tribune of the people, of whom we shall soon have occasion to speak largely, having been gained by Marius, endeavoured in all his harangues to induce the People to elect him Consul for the fourth time. As Marius affected difficulty, and declared that he could accept that office no more, Saturnius, assuming a tone of reproach and indignation, called him traitor to his country, for refusing the command of the army in so pressing a danger. Every body perceived the game they played, or rather comedy, in which Marius acted the most unworthy part in the world for a man of honour, and the most capable of drawing universal contempt upon himself. But there was occasion for a General of experience and reputation. Marius was accordingly elected Consul for the fourth time, and the same Catulus was given

him for Collegue, to whom Cn. Mallius had been preferred three years before. He was, as we have said before, a man of true merit, and had abundance of credit with the Nobility, without being disagreeable to the People.

A. R. 650.
Ant. C.
102.

C. MARIUS IV.

Q. LUTATIUS CATULUS.

The Consuls, who had prepared every thing for taking the field, set out from Rome as soon as they had received advice that the Barbarians were upon their march. The latter, having divided their troops, advanced by two different routes. The Cimbri took theirs through Noricum, (Bavaria and Tirol) to enter Italy by the Trentine. The Teutones and Ambrones proposed crossing the Roman province of Gaul, (Dauphiné and Provence) and to turn off through Liguria. The Consuls, upon this news, separated also. Catulus posted himself on the side of the Norican Alps, to wait there for the Cimbri; and * Marius moved to encamp at the confluence of the Isara and the Rhone, to oppose the Teutones and Ambrones.

The Cimbri had a long march, and nothing is said of them till the approaching year. But the Teutones were soon in view of Marius. Their troops were innumerable, and occupied a great extent of country. They raised cries, or rather howlings, capable of striking with terror, and every day offered Marius battle, with great insults, and reproaching him with abject cowardice. All their insults and bravadoes did not move him. He kept close within his camp, solely intent for the present upon checking the ardour of his troops, who expressed incredible desire and impatience to come to blows with the enemy. To accustom them to sustain the terrible aspect of the Barbarians,

* The exact date of all these movements of the Barbarians and Consuls is not certain. It is hard to say whether they are to be ascribed to the beginning or middle of the campaign. We only relate facts in the gross, having no more of them.

and their brutal and savage tone of voice; he sent different bodies of his army, one after another, to the intrenchments of his camp, and made them stay there a considerable time; convinced that novelty adds much to objects though terrible in themselves, and, on the contrary, that habit makes the most hideous things familiar.

A. R. 650.
Ant. C.
102.

It was not without pain, that they saw themselves kept in inaction, considering these long delays as reproaches of cowardice. In order to quiet them, he said he did not act in this manner through a distrust of their courage, but that in consequence of some oracles from the gods, he waited the occasion and place favourable for victory. For he carried every where with him a Syrian woman, called Martha, who passed for a great prophetess. She was carried about in a litter with great honours and respect; and he took the order for the sacrifices from her. She wore a large purple mantle fastened with clasps, and carried a pike in her hand wrapt round with wreaths and bunches of flowers. The stupid multitude, who would scarce submit to the authority of so great a General as Marius, suffered themselves to be governed by a female soothsayer.

One of the officers of the Teutones, remarkable for the greatness of his stature, and the glitter of his arms, challenged Marius to a single combat. The Consul answered, "That if he had so great a desire to die, he might go and hang himself." Marius knew too well, that it is not for the glory of a General to pique himself upon the bravery of a soldier.

The Teutones soon grew weary of repose, for which they were not made. They endeavoured to force Marius in his camp: but being overwhelmed with a shower of darts, and having lost great numbers of men, they resolved to continue their march, assuring themselves, that they should cross the Alps without difficulty or opposition. Accordingly they set forwards, and in a manner passed in review before

A. R. 650. the Roman camp. Their dreadful numbers were then known better than ever, from the length of time their march continued : for they were six whole days filing off before Marius's intrenchments in continual motion. As they passed very near the Romans, they asked them sneeringly, " Whether they had any news to send their wives ? that they should soon be capable to give them an account of their husbands."

When the Barbarians were entirely passed, and a little advanced on their way, Marius decamped and followed them in the rear, always posting himself near them, and chusing places strong by nature, and intrenching, that he might have nothing to fear in the night. The Barbarians, who continued moving on, came to the city of Aix, from whence they were not far from the Alps. They fixed their camp here near a little river. This was probably the river Arc, which runs a quarter of a league from Aix. Marius resolved to give them battle here, and posted himself in a very advantageous place ; but where it was not easy to get water. * It is not known, says Plutarch, whether he did this expressly to enliven the courage of his troops, by laying them under the necessity of going to fetch it at the little river in sight of the Barbarians ; or whether his ability gave the fault he had committed a turn to the advantage of his army. However that were, it is certain this circumstance occasioned the victory. When the soldiers complained of wanting water, the Consul pointing to the little river, cried out, " There's water before you ; but you must " pay blood for it." On these words, all raising their cries, replied, " Lead us then against the enemy, " whilst our blood is not exhausted and dried up by " thirst." Marius refused, telling them they must first fortify their camp. In this he followed the ancient maxim of the Romans, as we have observed in our account of the conduct of P. Æmilius in the war

* Consultò-ne id egerit Imperator, an errorem in consilium verterit, dubium : certè necessitate aucta virtus, causa victoriæ fuit, FLOR. iii. 3.

with Perseus. The soldiers obeyed, and fell to work upon their intrenchments: and in the mean time, the servants, having armed themselves as they could, went to bring in water. The Barbarians were encamped on the other side of the river.

At first only a small number of the enemy attacked these Roman servants; for it was exactly the hour when some were at dinner after bathing, and others were still in the baths; the place abounding with springs of hot water. It was no longer in Marius's power to keep in his soldiers, who were in great fear for their servants. Besides which, the Ambrones, who were the best troops of the enemy, rose on a sudden, and ran to their arms. Their bodies were full and heavy with the good cheer they had made; but their resolution was the greater in effect; and being in higher spirits from the wine they had drank, they advanced not like Barbarians, and with furious emotions, but in good order, striking their arms in time, and with great cries repeating their own name, Ambrones, Ambrones, either to encourage one another, or to terrify their enemies, by letting them know whom they had to deal with. It accidentally happened, that the Ligurians marched at the head of the Roman army. Now the same name, Ambrones, was anciently that of their nation: They therefore immediately began to repeat it on their side, so that the field resounded with it from both armies. The Ambrones had the river to pass, which broke their order. Before they could draw up again, the Ligurians charged their front with great fury, and began the battle. The Romans came on at the same time, and from the advantageous posts they occupied, fell so rudely on the Barbarians, that they bore them down before them. Most of them were either killed, or crowded each other into the river, which was soon filled with blood and dead bodies. The Romans pursued those who fled, passing the river with them, and pushed them quite to their camp.

A. R. 650.
Ant. C.
102.

A. R. 650.
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But here a new kind of enemies presented themselves against both sides. The wives of the Ambrones came out against them with swords and axes, gnashing their teeth with rage and grief, and discharged their fury equally on those who fled, and their pursuers; upon their husbands, whom they called traitors, and upon the enemy. They threw themselves into the midst of the press, seized the swords of the Romans with their naked hands, tore their shields from them, received wounds, saw themselves cut to pieces without being discouraged, and to their last breath shewed a truly invincible spirit. The Romans went no farther, and being stopped either through the boldness of these women, or the coming on of night, after having cut most of the Ambrones to pieces, they retired.

Their army was not heard to resound with songs of victory, as was natural after such great success. They passed the whole night in terror and anxiety: for their camp was neither secure, nor intrenched. The greatest part of the Barbarians had not fought: but their grief was not less than that of the Ambrones who had escaped the slaughter. During the night they all raised dreadful cries, which did not seem like the cries and groans of men, but like the roaring and howling of beasts. Marius expected to be attacked every moment, and extremely apprehended the tumult and disorder of an action that was to pass in the night. The Barbarians did not stir that night, nor the next day; but passed that whole interval in preparing for a battle.

In the mean time, Marius knowing that beyond the camp of the Barbarians were hollow ways covered with wood, he sent Marcellus thither with three thousand foot, to lie in ambush, and to take the enemy in the rear, as soon as the battle began. The rest he ordered to refresh themselves with food and repose. At day-break next morning he drew them up in battle upon the eminence before his camp, and made his cavalry advance into the plain. The Teutones did not stay till the Roman infantry also came down,

down, in order to fight it with equal advantage as to the ground; but transported with rage, they took their arms, and ran on to attack it on the eminence. Marius sent principal officers on all sides, to order his troops to wait for the enemy without moving, and as soon as they should advance within length, to discharge their darts, to draw their swords, and to push them back with their shields: for the place being a declivity, he thought with reason, that the strokes given by the Barbarians would neither have force, nor their close order be maintained, as they would totter, and have no firm footing, in effect of the descent and unevenness of the ground.

He did not content himself with giving these orders: but he added his own example, being accustomed to fight in person as well as to command. The Romans accordingly facing the Barbarians, and stopping them short, as they endeavoured to ascend, the latter were pressed and obliged to give way by degrees, and to regain the lower ground. The first battalions began to rally and draw up in battle; but those behind were in confusion and disorder. For Marcellus, intent upon all that passed, on the first cries of the charge, which resounded as far as the adjacent hills, under which he lay in ambush, had seized that moment for setting out, and had fallen impetuously with great cries upon the latter in the rear, cutting them to pieces. These, pushed with such fury, carried the disorder with them into the ranks in front. In an instant their whole army was in confusion. They could not long sustain so vigorous an attack before and behind, and quitted their order and fled. The Romans pursued them, and killed and took above an hundred thousand. The Epitome of Livy says, that there were two hundred thousand killed, and ninety thousand made prisoners: which seems incredible.

The spoils taken were immense: and the whole army unanimously made Marius a present of them: that present, great and magnificent as it was, seemed still below the service he had done on so dangerous an occasion.

Diod. ap.
V. a. c.

A.R. 650.
[Ant. C.
102.

caſion. He made a moſt generous uſe of it; and deſiring to reward ſuch brave troops, he cauſed this booty to be ſold to them at a very low price; chuſing rather to act in that manner than to give it them as a mere donation; no doubt that he might not ſeem to ſet little value on the preſent they had made him; and beſides, that his liberality, not ſeeming without advantage to himſelf, might not give thoſe pain, who had the benefit of it. This conduct acquired Marius the univerſal eſteem in the higheſt degree poſſible; and the Great united in applauding him with the People.

As to the arms taken from the Barbarians, Marius, immediately after the battle, choſe out the richeſt and leaſt damaged of them, and ſuch as were fitteſt to adorn his triumph. Theſe he ſet apart, and having cauſed all the reſt to be laid upon a great pile, he made a magnificent ſacrifice of them to the gods. His whole army was drawn up around this pile, crowned with laurel, and himſelf in a robe of ſtate, attended in the moſt auguſt manner, took a lighted torch, and liſting it up towards heaven with both his hands, he was going to ſet fire to the pile, when couriers appeared riding full ſpeed towards him.

When they were near Marius, they diſmounted, and running to ſalute him, declared that he was Conſul for the fifth time, and delivered him letters that notified his election. This was a new ſubject of joy: and the whole army, to teſtify the pleaſure it gave them, raiſed great cries, which they accompanied with the warlike claſhing of their arms; and all the officers adorned the head of Marius with new crowns. At this moment he ſet fire to the pile, and compleated the ſacrifice.

C. MARIUS V.

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M. AQUILLIUS.

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101.

The Consul Aquillius was sent into Sicily against the revolted slaves. We shall speak of that war after we have made an end of what regards that of the Cimbri. Marius marched against those Barbarians, to compleat what he had so gloriously began: and Catulus was also continued in command with the title of Proconsul.

The Cimbri were at length arrived near the Alps, on the side of the Trentine, and were preparing to enter Italy. Catulus, who had at first seized the eminences to stop the Barbarians there, apprehended, that being obliged to divide his army into many posts, he should be too much weakened in effect. He therefore resolved to move down into Italy, placed the Athesis (the Adige) in his front, and formed two camps on the banks of that river to defend the pass, the greatest on this side, and the other on that where the Cimbri arrived: and for the communication of these two camps, he threw a bridge over the Adige, which enabled him to send aid wherever the enemy might attack his troops. Those Barbarians had the Romans in such contempt, and were so full of senseless arrogance, that only to shew their strength and boldness, without any use or necessity, they exposed themselves naked to the snow, climbed up to the tops of the mountains across heaps of ice and snow, and when they were got up, put their bucklers under them, and in that manner abandoned themselves to the declivity of those mountains, sliding down the rocks, which were extremely steep, and had terrible bogs and abysses at their bottoms.

At length, after having encamped near the Romans, and founded the river, when they found they could not pass it, they undertook to fill it up; and rooting up the largest trees, loosening enormous pieces of the rocks, and breaking down great masses of earth,

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Ant. C.
201.

earth, they threw them into the river, and thereby dammed up its course. And in order to loosen the piles, which served as a foundation for the bridge of the Romans, they threw things of great weight into the river, which being rapidly carried away by the current, struck rudely against the bridge, and shook it in so violent a manner, that it could not long resist them.

Most of the Roman soldiers were seized with such terror from these efforts of the enemy, that they abandoned the great camp, and retired. Catulus on this occasion acted with a conduct that Plutarch praises; but which is however susceptible of a construction not much in his favour. Seeing that he could not prevent his people from flying, he put himself at their head, in order to save the honour of the nation, and that it might not be said, the Romans had fled before the Cimbri, but might rather seem to have followed their General. Catulus here then sacrificed his own glory to the honour of the Roman name: and would merit praise, if he could have done no better. But it would certainly have been of more consequence, to have reanimated his troops, than to have saved their honour in so precarious a manner: and I do not believe, that Marius on the like occasion would have been willing to deserve the like praise. And indeed Plutarch says elsewhere, that Catulus was no great warrior.

Plut. in
Syll.

Those who were in the little camp on the other side of the river, though more exposed, shewed more resolution. They defended themselves with so much vigour, that the Barbarians admiring their valour, permitted them to retreat, by granting them an honourable capitulation. The Centurion Petreius did more. As the legion, in which he was Captain, was surrounded, he exhorted it to open themselves a way through the enemy's camp. The Tribune, who commanded in chief, wavered. Petreius killed him with his own hands, put himself at the head of the legion, and extricated it out of danger. So brave an action

Plin.
xxii. 6.

was rewarded with the crown * Obsidionalis ; a more distinguished honour, as he was the first Centurion to whom it had ever been granted.

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I must not omit here the sad fate of Scaurus's son. That young man, who served in the cavalry, lost courage on the sight of danger, and fled. When he returned to Rome, his father, whose severity rose to cruelty, having forbade him to appear in his presence, he was so struck with shame and confusion, that he killed himself.

The Barbarians, who were now masters of the flat country, ravaged it without interruption. Florus Flor. iii. 3. affirms, that had they marched directly to Rome, they might have caused as great disasters there as the Gauls had done long before on the like conjuncture. But, in order to wait for their companions, as had been agreed before they separated, they continued in this fine country, with which they were charmed. That agreeable abode, where they had every thing in abundance, became fatal to them, in enervating their bodies, and slackening their courage by pleasures and luxury, to which they abandoned themselves with the greater ardour and avidity, as they were the less accustomed to them.

In this extremity, Marius was recalled to Rome. He was received there with great marks of joy. The honour of a triumph was decreed to him: but he refused to accept it, and deferred it, till he should have terminated the war, as he said, by new successes, still more glorious than the first. It was but just for him not to deprive soldiers, who had so great a share in the exploits, by which he had deserved it, of their share in that glory ; and at the same time he raised every body's expectation, by speaking of his victory as of a thing certain. He immediately set out to join Catulus, and made his troops advance from Gallia Narbonnensis, where he had left

* This crown was made of turf, and was given by the soldiers themselves, who had been extricated out of danger, to their leader.

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101.

them, after the defeat of the Teutones. It appears, that Catulus had placed the Po between him and the Barbarians, as it is said, that Marius, when he joined him, passed that river, and that the battle was fought near Vercellæ.

These two Generals were very unlike each other. Catulus was as obliging and affable, as Marius was rustick and haughty. This was the first rise of their disagreement. But Marius, notwithstanding his infinite superiority in point of military merit, was jealous even to meanness of all honour his Colleague might acquire. Of this we shall see proofs in the very battle.

Sylla also gave occasion for this misunderstanding to increase, and grow more virulent. He had even quitted Marius to attach himself to Catulus, as we have said before: and he even did a signal service in the present conjuncture. Though the country was ruined, he found means to introduce plenty in the army of Catulus, and to such a degree, that Marius's troops thought themselves happy in being relieved by this aid, from the great scarcity they were in. Marius was only the more mortified from having this obligation to an enemy. However, these divisions did not break out then. The common danger united minds so disposed for discord, at least for a time.

The Barbarians were at no great distance from the Romans. But they deferred giving battle, continually expecting the Teutones with impatience, whether they did not know, or, which is more probable, would not believe that they were defeated. Seeing that the two Generals had joined their forces, they sent Ambassadors to Marius to demand lands and cities for themselves and their brethren, sufficient for their abode and support. On being asked who those brethren were, of whom they spoke, they replied, the Teutones. The whole assembly set up a laugh, and Marius, in derision, told them: "From henceforth leave out your brethren, and be in no pain about them. They have the land we have given
" them,

“ them, and will keep it to eternity.” The Barbarians, enraged at the irony, told him in a threatening tone, that he should repent that insult, and would be punished immediately for it by the Cimbri, and soon after by the Teutones when they arrived. “ They are arrived,” retorted Marius, “ there they are ; “ it would be want of courtesy in you to depart “ without saluting and embracing your brethren.” At the same time he ordered the Kings of the Teutones to be brought forwards in chains.

When the Ambassadors had made this report to the Cimbri, they resolved to fight : and Boiorix, one of their Kings, at the head of a small body of horse, approaching the Consul’s camp, called upon him with a loud voice, and challenged him to chuse his time and place for a battle ; and to decide who should remain masters of the country. Marius answered, “ That the Romans never took counsel of their enemies concerning battle : but however, that he would have so much complaisance for the Cimbri.” They accordingly agreed it should be on the third day following this parley, and in the plain of Vercellæ, which seemed commodious to the Romans for the acting of their cavalry, and to the Barbarians for extending their numerous battalions.

Neither side failed to be at the place fixed. Both drew up in battle. Catulus had more than twenty thousand foot under him, and Marius thirty thousand. Catulus was posted in the centre, and Marius’s troops on both wings. We cannot give a certain detail of this great day. For we have no account of it but from Plutarch ; and Plutarch himself cites only Catulus and Sylla, both Marius’s enemies. Catulus had composed an history of his Consulship, which Cicero praises, as * wrote with abundance of sweetness, and in Xenophon’s manner. Sylla had left memoirs of his life, which are often quoted by Plutarch. These two works would be very authentick monuments, if

* Molli & Xenophonteo genere sermonis, Cic. Brut. n. 132.

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there were no reason to fear, that enmity had often guided the pens of the writers. But on the other side, and this is precisely what increases the uncertainty, Marius was so immoderately greedy of glory, and so violently jealous of every rising merit near himself, that nothing ascribed to him is hard to believe, which proceeds from that principle. Here, for instance, the disposition of his troops, drawn up so as to surround those of Catulus on both sides, had no motive, according to Catulus and Sylla, but the hope he had conceived of falling upon the enemy, and breaking them with his two wings, and that the victory would be entirely owing to his soldiers, without the other army's having any share in it.

The Cimbri gave their battalions as much depth as front, so that they formed an hollow square, of which each side occupied the space of thirty * stadia. Their cavalry, which consisted of fifteen thousand horse, came on in superb equipages. All the riders had helmets in the form of open mouths, with muzzles of all kinds of strange and terrible wild beasts; which being set off with plumes formed like wings, and of prodigious height, made their persons seem much the larger. They were armed with cuirasses of polished steel, and covered with bucklers entirely white. Each of them carried two javelins to discharge at a distance; and when they had joined the enemy, they used great and heavy swords. In this attack, they did not advance to charge the Romans in front, but inclining to the right came on by degrees, with design to inclose them between themselves and their infantry, which was upon their left.

The Roman Generals immediately perceived that stratagem, but could not restrain their soldiers. One of them crying out, that the enemy fled, all the rest instantly ran forwards to pursue them. In the mean time, the foot of the Barbarians advanced like the waves of the main ocean. Marius and

* About a league and a quarter.

Catulus, lifting up their hands towards heaven, vowed the one to sacrifice an hecatomb to the gods, and the other to dedicate a temple to the fortune of that day. The entrails of the victims were no sooner shewn to Marius, than he cried out, "The victory is mine." Nothing more is wanting to animate an whole army.

Marius however, if we may believe Sylla, had no share in the victory : and his mean jealousy was justly punished by an accident he had not foreseen. For when they were in motion to come to blows, so great a cloud of dust arose, that both armies were covered with it, and could not be seen by each other. Marius, who had advanced first to charge with his troops, had the misfortune to miss the enemy in the darkness that covered both armies, and having pushed on a great way beyond their line of battle, he wandered long about the plain, before he knew where he was.

Fortune was as favourable to Catulus as it had been contrary to the Consul. He came up with the Barbarians, and his army, in which Sylla had a distinguished command, sustained the whole weight of the battle almost alone. The heat of the weather, which was very great, and the sun, which shone in the faces of the Cimbri, was much in favour of the Romans. For those Barbarians, accustomed to support the hardest frosts, and nurtured in cold places covered with woods, could not bear heat, but were in a manner melted, could not respire, and were only able to put their shields before their faces to cover them from the sun. It was then the hottest time of summer, about the latter end of July.

The dust was also of great use to the troops of Catulus, and served very much to augment their boldness and confidence, by hiding the greatest part of the enemy from them. For they were far from seeing their innumerable multitude. But each body having moved on briskly to charge those before it, they were engaged before the sight of the enemy's whole army could strike their eyes, and terrify them. Besides which, they were so enured to labour and fatigue,
that

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that according to Catulus, not a single Roman was seen to sweat, or gasp for breath, though the heat was excessive, the charge very warm, and they had ran on as fast as possible to the attack. Most of the Barbarians in consequence, and the bravest of them, were cut to pieces. For all those in the front line, to prevent breaking their order of battle, were made fast to each other by long chains affixed to their shields: A very singular and entirely odd precaution. All the rest were broke, and drove back quite to their camp. In this extremity, the women of the Cimbri shewed no less courage, or, more properly speaking, fury, than those of the Ambrones, of whom we have spoke above. They got into their carriages, drest in black robes, and from thence killed those who fled, some their husbands, and others their brothers, or fathers. At last, seeing that it was impossible to withstand the victors, they sent Deputies to Marius, to demand of him, if not liberty, at least a slavery that suited their sex and virtue; offering to be slaves to the vestals, upon condition of observing perpetual chastity like them. But being refused this grace, they abandoned themselves to the most horrible despair. They took their little children, and either strangled them with their own hands, or threw them under the wheels of the carriages and the horses feet; and afterwards killed themselves. Plutarch relates, that one was found hanging at the pole of a car, with her two children hung at her legs above the heel. It is easy to conceive, that historians have here gone beyond the marvellous, and sought to amuse with more than tragical accounts. For instance, who can believe what Plutarch tells us, that the Barbarians, not finding trees to hang themselves upon, tied themselves by the neck, some to the horns, and some to the feet of oxen, and that afterwards, pricking them with goads, they made them drag and tear them to pieces, in order to perish in the most miserable manner in nature?

The number of the prisoners was however very great. It is made to amount to sixty thousand, and that of the dead to twice as many. Marius's soldiers took the baggage : but the spoils, ensigns, and trumpets, were carried into the camp of Catulus : which he urged as a proof that the Romans were indebted for the victory solely to him. It is not said what part Marius took in this dispute, which must have affected him so much. But on its growing warm between the soldiers of the two armies, the Ambassadors of Parma, who were upon the spot, were chosen to decide it. The soldiers of Catulus carried them to the field of battle to inspect the dead, and shewed them, that they were all wounded by their javelins, which were easily and assuredly to be known, because Catulus had taken care to have his name cut upon the staves of all the missile weapons of his soldiers. If these facts are certain, it is not to be doubted, but that Catulus was the real conqueror of the Cimbri. But fame has decided otherwise. The * whole honour of this great day has remained to Marius : and Catulus is only known to the learned. And even when the event was quite recent, it was a sufficient honour for him to be associated as second in the glory of Marius.

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When the news of this victory arrived at Rome, it occasioned a joy that cannot be expressed. The People especially, who had long since declared for Marius, whom they considered in some sense as their creature, did not believe they could render him sufficiently great honours. They gave him the glorious title of Third Founder of Rome ; judging that the service he had just done his country, was not inferior to that Camillus had formerly rendered it in conquering the Gauls. At their meals, they offered the first-fruits to Marius, and made libations to him at the same time

* Hic (Marius) tamen & Cimbros, & summa pericula rerum
Excipit, & solus trepidantem protegit urbem.
Atque ideo, postquam ad Cimbros itragemque volabant
Qui nunquam attigerant majora cadavera corvi,
Nobilis ornatur lauro Collega secunda. Juv. Sat. I.

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as to their gods. They were for having him triumph alone : and even decreed him two triumphs, the one for his victory over the Teutones, and the other for that over the Cimbri. Marius behaved with moderation on this occasion. He accepted only one triumph, and associated Catulus in it with him. He perceived, that it would be unjust to deprive so illustrious a companion of an honour to which he had an undoubted right ; besides which, he apprehended that his own triumph would be interrupted by the troops of Catulus, if their General should receive so cruel an affront. Among the prisoners led in triumph, King Teutobodus, who had been taken at the battle of Aix, was the most remarkable. He was of so excessively tall a stature, that he was higher than the trophies ; which supposes, according to Gassendi, that he was above ten feet high. The thing is scarce credible.

Flor. iii. 3.
Gassendi
vit. Pei-
resc.

Sertorius continued distinguishing himself more and more, and acquired Marius's esteem, and honourable rewards, for exposing himself to go amongst the Cimbri in the disguise of a Gaul, and for having brought back intelligence of great use to his General.

History also mentions two cohorts of Umbrians, all of whom Marius, in honour of their valour, rewarded with the freedom of Rome : and being afterwards told, that the law did not admit of such rewards, he answered at once agreeably and haughtily, that the din of war had prevented him from hearing the voice of the law.

Marius was desirous in some measure to perpetuate his triumph by a practice singular and full of vanity. He affected afterwards to be served in drinking with a cup like that ascribed to Bacchus, the conqueror of India ; so “ that * every time he drank, says Valerius Maximus, he compared his victories with those of that fabulous conqueror.” Such was the † pride

* Ut inter ipsum haustum vini, victoriæ ejus (Bacchi) suas victorias compararet. VAL. MAX. iii. 6.

† C. Marius post victoriam Cimbricam cantharo potasse, Liberi Patris exemplo, traditur, ille arator Arpinas, & manipularis imperator. PLIN. l. xxxiii. c. 11.

CONDEMNATION OF CÆPIO.

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of this ploughman of Arpinum, this soldier of fortune. A. R. 651.
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101. 1

Another monument of his victory, which was not subject to a like censure, was a temple which he erected, as Marcellus had done of old, to Honour and Virtue. But his rough and savage turn of mind, and his aversion for the arts and learning of the Greeks, appeared in the construction of this temple; in which he would suffer no marble to be used, nor any stone but the most simple and common, without any ornaments either of sculpture or painting; nor would he employ any but a Roman architect. And as he was obliged to exhibit Greek games and shews in the dedication of this temple, he entered the theatre, but only just sat down, and went out the moment after. Vitruv.
Præf. l. vii.

Catulus also built a temple, according to his vow made in the battle, to the fortune of that day. The inscription placed upon the front were these words, *Fortunæ hujusce diei*. Thus, though in the first intention it related only to the day of battle with the Cimbri, the inscription was applicable to every day to eternity. Mar.

CONDEMNATION OF CÆPIO.

To * relate all that concerns the war with the Cimbri, I proceed here to insert an account of the disgraces of Cæpio, which I have been obliged to defer, to avoid breaking in upon the series of facts.

I shall first observe, that Cæpio's person was always dear to the Senate, because he was the first who attempted to remedy the wound C. Gracchus had given the authority of that order, in depriving the Senators of the administration of justice, and transferring it to the Knights. Cæpio, in his Consulship, before he set out for the war against the Cimbri, passed a law, by

* This section concerning Cæpio, and the history of the second war of the Slaves in Sicily, are the Editor's.

CONDEMNATION OF CÆPIO.

which it was ordained, that the bodies of the judges should consist half of Senators, and half of Roman Knights. It is easy to judge the infinite pleasure this law gave the Senate, from the vehemence and energy of the expressions used by the orator Crassus, in his discourse to support the Consul's proposal. He described the power of the Knights as a real tyranny, and the actual situation of the Senate as a state of oppression. "Deliver * us," said he to the people, speaking in the name of the Senate; "deliver us from the miseries under which we groan. Deliver us from the fury of those, whose cruelty cannot be satiated with our blood. Deliver us from slavery. Suffer us not to be in subjection to any whatsoever, except your order, which we both can and ought to obey." This so much desired law was not put in execution, or at least was not long in force. For we shall see in some years the Knights again have the sole administration of justice. It however did so much honour to its author, that it acquired him the title of Protector of the Senate, *Senatus Patronus*.

Val. Max.
vi. 2.

It is undoubtedly for this reason that Cicero, who was always true to the aristocratical opinions, as often as he has occasion to mention Cæpio, speaks honourably of him. "Cæpio †," according to him, "was a man of great courage and constancy, to whom the misfortunes of war were made criminal; but the true cause of his disgrace was the people's hatred." We have seen, that historians are far from being so favourable to him, that they represent him as highly criminal in respect to plundering the gold of Toulouse, and impute to his arrogance and temerity the bloody defeat of the Romans by the Cimbri. Cæpio, after that defeat, was ignominiously displaced by the

* Eripite nos ex miseriis: eripite nos ex faucibus eorum quorum crudelitas nostro sanguine non potest expleri: eripite nos ex servitute. Nolite sinere nos cuiquam servire, nisi vobis universis, quibus & possumus & debemus. Crassus apud Cic. l. i. de Or. n. 225. & Parad. v.

† Q. Cæpio, vir acer & fortis, cui fortuna belli crimini, invidia populi calamitati fuit. Cic. Brut. n. 134.

People, as we have said above; and to that punishment they added the confiscation of his estate. But those were only the beginnings of his misfortunes.

The following year, under the second Consulship of Marius, L. Cassius, Tribune of the People, caused it to be ordained by a law, that no person should sit in the Senate, that had been condemned and deprived of command by the people. Nothing was wanting to this law but Cæpio's name. For he was the only person in the case. A. R. 648.

Hitherto it does not appear that the gold of Toulouse was brought in question, unless the confiscation of Cæpio's estate was the punishment of his sacrilege. We know besides, that very strict enquiries were made concerning that crime, in which many were involved. But it is not to be doubted, but that Cæpio was brought on that account before the people a second time, ten years after his first condemnation, by the Tribune Norbanus. Diod. ap. Valef. Cic. de Nat. Deor. iii. 74. A. R. 657.

The accused found friends and protectors. The same L. Crassus, of whom we have just spoke, and who was then Consul, openly took upon him his defence. Scaurus, Prince of the Senate, and no doubt the whole order of the Senators, espoused his interest. At length L. Cotta and T. Didius opposed their Colleague's law in form. Violence decided the affair, which was but too common then at Rome. A furious sedition arose. Scaurus was put to flight, and even received a blow with a stone. The opposing Tribunes were driven from the Tribunal of Harangues. The law passed, and Cæpio was condemned.

The sequel of this condemnation has some obscurity in it. The combined testimonies of Cicero and Strabo only inform us, that he was banished and retired to Smyrna. Valerius Maximus affirms, that he was put in prison after his trial: and he praises the zeal and fidelity of a friend of Cæpio's, Rheginus, Tribune of the people, who forced the prison, took out his friend, and went into banishment with him. This account may entirely be reconciled with Cicero and Cic. pro Balbo, n. 28. Strab. l. iv. p. 188. Val. Max. iv. 7.

Strabo.

Val. Max. vi. 9. Strabo. But the same Valerius Maximus adds elsewhere, things that do not only differ from the account of those two authors, but seem to contradict what I have just repeated after himself. He says, that Cæpio was strangled in prison, and his corpse ignominiously dragged to the * Gemoniæ. Nobody but himself speaks of so unhappy a death. But however it be, it is certain at least, that Cæpio's misfortunes were ascribed to the vengeance of the gods, who punish the guilty, says Strabo, even in the persons of their children. It is said, that he left only daughters, who dishonoured their name by infamous conduct, and perished miserably.

* A place in Rome, to which executed bodies were dragged with an hook.

S E C T. II.

Insurrections of the slaves in Italy, excited by Vettius the Roman Knight. Occasion of the revolt of the slaves in Sicily. Six thousand revolted slaves chose Salvius for their King. They form an army of twenty thousand foot and two thousand horse. Another revolt of the slaves, of which Athenion is leader. Salvius, who had taken the name of Tryphon, unites all the forces of the rebels under his command. Lucullus is sent into Sicily, and gains a great victory over the slaves. But he neglects to take advantage of it. Servilius succeeds Lucullus. Tryphon dies, and Athenion is chosen King in his stead. The Consul M'. Aquillius terminates the war. Parricide committed by Publicius Malleolus. Punishment of parricides. Marius by intrigues and money obtains a sixth Consulship. Origin of the hatred of Saturninus for the Senate. He becomes Tribune of the People, and attaches himself to Marius. Censorship of Metellus Numidicus, and violent contests between him and Saturninus. The latter insults the Ambassadors of Mithridates. He is cited to a trial, and acquitted. Having killed Nonius, he is elected Tribune for the second time in

in his stead. He proposes, and passes a new Agrarian law. Vile fraud of Marius. Metellus, of all the Senators, refuses to take an unjust oath. He is banished. Insolence of Saturninus. Unworthy conduct of Marius to inflame divisions more and more. New excesses of Saturninus. All the orders of the Commonwealth unite against him: he is put to death. His memory is detested. The faction of Marius prevents the return of Metellus. Glorious recal of Metellus. Marius quits Rome, to avoid being witness of the return of Metellus.

WAR OF THE SLAVES.

THE second war of the slaves in Sicily happened at the time of that with the Cimbri, and subsisted about four years. Some commotions of the slaves in Italy seemed the prelude to it. Some of them happened at Nocera, and some at Capua, which were easily suppressed. But the most considerable had a Roman Knight at the head of it, called Vettius.

His father was extremely rich; but there are no fortunes, which the madness for debauch will not easily find means to lavish. The bad state of his affairs was however not known: he had still credit, and having fallen desperately in love with a young slave, he bought her of her master for seven talents (something more than a thousand pounds sterling) which he promised to pay at a certain time. The time elapsed, and he had not the money. He therefore demanded a second delay, which was granted. But, as on the expiration of it, he found himself again under the same difficulty, frantick with his violent passion, and pressed by his creditor, he took a desperate resolution. He again bought upon credit five hundred compleat suits of armour, which he caused to be secretly conveyed into the country: he there exhorted his own slaves to revolt, to the number of four hundred, armed them, assumed himself the

Diod.
Eclog.
l. xxxvi.

diadem, purple, and all the marks of sovereignty, and declared himself King. His first exploit was to seize and murder his importunate creditor, who would be paid at all events. He afterwards roved about the country, allured slaves to him by the attraction of liberty, killed those who opposed him, and having formed a body of seven hundred men, he fortified a camp, to serve as an asylum for all that would join him.

When this news came to Rome, the Senate immediately conceived that there was more need of expedition than of great forces. L. Lucullus, who was then Prætor, had orders to set out directly with six hundred men, and to assemble and list all he should find upon his march capable of bearing arms. On arriving at Capua, he had four thousand foot and three hundred horse. In the mean time, the number of Vettius's troops had augmented considerably. He had with him three thousand five hundred men, and being intrenched on an eminence, he had even some advantage of Lucullus in a slight engagement. But the latter having brought over, by the hope of impunity, one Apollonius, whom the pretended King had appointed General of his army, Vettius, who saw himself betrayed, was reduced to kill himself, to escape captivity, and the shame of punishment. All those who had taken arms with him, perished in the like manner. Apollonius only, with whom the promise made was faithfully kept, had his life saved. If any one had foretold this Vettius, that his parties of pleasure in his early youth would terminate in so desperate a resolution, and so unhappy an end, he would never have believed it.

The revolt of the slaves in Sicily seems to have began the same year the affair of Vettius happened. The occasion of it was as follows.

A. R. 648. Marius, charged with the war against the Cimbri, raised troops amongst the Kings his allies. Nicomedes, King of Bithynia, excused himself on account of his want of power to furnish them, because the tax-

farmers (publicans) had taken off great numbers of his subjects, made slaves of them, and dispersed them into different provinces. The Senate, by a decree, prohibited the detaining in slavery any free person of the countries in alliance with the Roman People, and ordered the Prætors, as soon as possible, to reinstate all those who should be in this case in their liberty. Licinius Nerva governed at that time in Sicily. He applied himself to execute the decree of the Senate, and in a very short time more than eight hundred were released. As the principal and most powerful persons of the island lost considerably by the execution of this regulation, they addressed themselves to the Prætor, who either out of consideration for their persons, or for the lucre of money, changed conduct, and would not give the slaves audience who applied to him, sending them back even with menaces to their masters.

These unhappy creatures, who were refused justice, resolved to do it themselves. They first assembled in small bodies, which were easily dispersed. But the first successes having rendered the Prætor more negligent, they assembled again. They were soon above two thousand, and defeated a body of six hundred regular troops, that had been sent against them. This victory procured them arms, of which they were in great want, and besides acquired their enterprize so much reputation, that they saw their number increased in a short time to six thousand. They then resolved to give themselves a form of government: and in a general council elected one of their own body King: his name was Salvius, who had gained credit by his pretended skill in divination.

This new King acted with good sense. He divided his troops into three bodies, and after having appointed them a rendezvous, he ordered them to disperse into the country, to solicit the slaves everywhere to revolt, and to carry off cattle, but especially as many horses as possible. He succeeded so well in every thing, that he at length assembled an army of
above

above two thousand horse, and twenty thousand foot, which he took care to form in all kinds of military exercise. In this condition, he set out to besiege one of the most important places of Sicily, called Murgantia.

The Prætor seemed to awake as from a kind of lethargy. He marched against the rebels with ten thousand soldiers, both Italians and Sicilians. But all he did was but to increase the glory of the King of the slaves, who routed his whole army, killed six hundred, and took four thousand prisoners. Salvius, however, could not effect the reduction of Murgantia.

In the mean time, on another side of Sicily, towards Sergestum and Lilybæum, a new conspiracy of slaves broke out, who had Athenion for their leader, a Cilician by birth, brave in person, and who gave himself out for skilful in judicial astrology. For it is remarkable, that superstition, and the chimeras of divination, have always great force in this kind of revolts. This man, seeing himself at the head of a thousand more, who had joined him in five days, assumed the diadem with the name of King. But he acted in a quite different manner from other chiefs of rebels, who usually make all soldiers who come into them. As to him, he gave arms only to such as he observed to have strength of body and courage. He obliged the rest to follow their usual business, in order that they might supply the army with subsistence and other conveniences.

He had soon assembled ten thousand men, with whom he believed himself sufficiently strong to besiege Lilybæum. He was mistaken: the enterprize was too difficult; and he found it necessary to think of retreating. But bad success, which should naturally have discredited him, turned to his advantage in effect of his address, seconded by a lucky accident. He informed his troops, that the stars threatened them with some great misfortune, if they persisted to continue before the place. And in reality, when he decamped,

an aid of Moors arrived at Lilybæum, who immediately made a falley, fell upon Athenion's rear-guard, and killed him abundance of people. The slaves did not doubt but this event was the accomplishment of their King's prediction, and conceived the greater veneration for him.

Hitherto the rebels had no place of strength. Salvius, who caused himself to be called Tryphon, the name, in former times, of an usurper of the crown of Syria, made himself master of Triocala, a place extremely strong and advantageous in every respect. He then ordered Athenion to repair to him, as a King orders his General. The latter obeyed, and thereby put an end to the hopes which had been conceived; that the rebels being divided against themselves, it would be easy to reduce them. We have already seen the same thing between Eunus and Cleon, in the first war of the slaves. Tryphon was however not exempt from distrust in respect to Athenion, and caused him to be arrested. The government of the slaves then took an entirely regular form. Tryphon assumed all the ornaments of sovereignty, appointed guards for his person, formed a council, built a palace in Triocala, and caused a forum to be made fit to contain a numerous assembly. He had then above thirty thousand men under him, without including Athenion's troops.

Things were in this state, when Lucullus was sent A. R. 649. to Sicily. This was undoubtedly the same person who the year before, being Prætor, had destroyed Vettius's small army; and who, after having passed the year of his Prætorship at Rome, according to the long established custom, was to have the government of a province. He brought with him fourteen thousand Romans and Latines, and two thousand auxiliaries. With these troops he marched against the rebels.

On his approach, Tryphon held a council. He was of opinion, that it was necessary to shut themselves up in Triocala, and to expect the enemy there.

Athenion,

Athenion, who had been restored to favour, thought it best to hazard a battle. This opinion took place. Accordingly they set out, to the number of forty thousand, and encamped fifteen hundred paces from the Romans. After some days, which passed in skirmishes, they came to a general action. Athenion supported the counsel he had given by prodigies of valour. But when he was obliged to retire from the battle by three wounds, the slaves lost courage and fled, leaving twenty thousand of their number upon the spot. The rest, with Tryphon, retired into Triocala. Athenion remained concealed among the dead, and afterwards, by favour of the night, escaped also into the place.

It had been easy for Lucullus to terminate the war; if he had immediately attacked the remaining revolters whilst entirely discouraged by their defeat. They were so to such a degree, that they deliberated whether they should not return to their masters, and submit to their discretion. But the Prætor having given them time to recover from their first terror, they took courage again, and resolved to fight to their last breath, rather than surrender themselves to their cruel tyrants. At the end of nine days, Lucullus actually besieged Triocala; and after having lost abundance of men before it, he was obliged to raise the siege. From thenceforth he left the rebels in quiet enough, and was suspected of having been more intent upon enriching himself in his province, than upon restoring its tranquility. And this was not mere suspicion; for when he returned to Rome, he was accused and condemned as guilty of extortion. This Lucullus was the father of him who afterwards commanded against Mithridates.

A. R. 650. Servilius was sent the year following to succeed him, and did nothing memorable. Florus even says, that the rebels defeated him, and took his camp. Whilst he was in Sicily, Tryphon died, and Athenion, who succeeded him, ravaged the whole island, besieged and took several cities, whilst
the

the Prætor hardly made any motion to stop his progress.

At length a Consul was sent from Rome against enemies who continually became more and more formidable. This was Manius Aquillius, Marius's Colleague in his fifth Consulship. He was a man of heroic valour. He gained a signal victory over the enemy, in which he killed Athenion with his own hands, after having received a wound himself in the head.

The slaves, though they had lost their leader, cantoned themselves however in different places. Aquillius pursued them thither, without giving them occasion however to fight, but endeavouring to reduce them by famine. Only a thousand of them surrendered, with Satyrus their commander. Aquillius caused them to be carried to Rome, and was for making a shew of them to the people in fighting with wild beasts. Those unfortunate wretches, seeing that their lives were preserved only for the sport and diversion of the Romans, exhibited a fight to them quite different from that they expected. They turned the arms put into their hands against one another, and died in that manner. Satyrus, who survived last, killed himself. Aquillius had the honour of the little triumph or ovation.

Thus ended the second war of the slaves in Sicily. It is said, that the number of slaves who perished in this and the preceding war, amounted to a million. Athen.
vi. 20.

DETACHED FACTS.

Whilst the war with the slaves still subsisted, and immediately after the triumphs of Marius and Catulus over the Cimbri, history mentions a parricide, which some have considered as the first crime of that kind that was ever committed in Rome. But there is a prior instance of it. Plutarch tells us, that in the Plut. in
Rom. time immediately after the war with Hannibal, one

L. Hostius

L. Hostius killed his father. The person guilty of this crime now, was called Publicius Malleolus. He killed his mother, with the assistance of his slaves.

Every body knows what punishment was inflicted upon Parricides at Rome. Romulus had instituted none; perhaps being of the same opinion with Solon, who, in making his laws for the Athenians, observed the same silence on the same subject: and on being asked his reason for it, replied, that he supposed there never could be any one capable of so horrible a crime. And indeed, to institute a punishment for a thing so extremely contrary to nature, may seem rather to teach mankind to consider it as possible, than to prevent it. But there is no excess of wickedness of which man is not capable; and L. Hostius having given a proof in respect to this crime in Rome, it is to be believed, that it was for him the singular punishment of which I am going to speak was invented. The criminal was strongly sewed up in a leathern bag, with a dog, a cock, a viper, and an ape, and in that condition thrown into the Tiber.

But to what shall we ascribe the choice of so extraordinary a punishment? Cicero explains this in one of his pleadings; and that passage of eloquence, tho' more witty than solid, may perhaps, by way of variety, not displease the reader. "How * worthy of admiration, cries he, is the wisdom of our an-

* O singularem sapientiam, judices! Nonne videntur hunc hominem ex rerum natura sustulisse & eripuisse, cui repente cœlum, solem, aquam, terramque ademerunt; ut qui eum necasset unde ipse natus esset, careret iis rebus omnibus ex quibus omnia nata esse dicuntur? Noluêrunt feris corpus objicere, ne bestiis quoque, quæ tantum scelus attigissent, immanioribus uteremur; non sic nudos in flumen dejicere, ne quum delati essent in mare, ipsum polluerunt, quo cætera quæ violata sunt expiari putantur. Denique nihil tam vile, neque tam vulgare est, cujus partem ullam reliquerint. Etenim quid tam est commune, quam spiritus vivis, terra mortuis, mare fluctuantibus, littus ejectis? Ita vivunt, dum possunt, ut ducere animum de cœlo non queant: ita moriuntur, ut eorum ossa terra non tangat: ita jactantur fluctibus, ut nunquam abluantur: ita postremo ejiciuntur, ut ne ad saxa quidem mortui conquiescant. Cic. pro Sex. Rosc.

cestors in the punishment they establish for parricides ! Do not they seem to have cut off the criminal from all nature, by divesting him at the same time of the heavens, the sun, the water, the earth (earth, air, fire, and water), in order that the wretch, who had killed him from whom he received birth, might be deprived at once of all the elements, that give existence to the different beings that compose this universe ? They would neither expose him to wild beasts, lest even those creatures, from a kind of contagion communicated to them by such a monster, should become more savage ; nor throw him naked into the river, lest he should contaminate the sea, intended by nature (as is thought) to wash away, and purge all filth. In a word, there is nothing so vile in nature, nor of the most common and general use, of which they have left him the enjoyment. And what is there indeed in nature more common than air to the living, earth to the dead, sea to those upon the waves, and shore to those driven thither by them ? These wretches perhaps live some moments, but without being able to respire the air : they die, and their bones do not touch the earth : they are continually tossed about by the waves, without ever being washed : in a word, they are driven to the shore, but without ever being able to find near the rocks themselves a place of repose."

It is probable enough, that the inventors of this punishment had some of the views upon which Cicero expatiates with so much wit and luxuriance. We easily perceive in it an horror, that endeavours to rid itself by the shortest means, of an object infinitely odious. For the rest, if I tax the passage I have just repeated, with being of a kind of eloquence that runs too much after the Shining, without sufficient attention to the Just, I only speak after Cicero himself. He has criticized upon it ; and after having * said,

* *Quantis illa clamoribus adolescentuli diximus de supplicio parricidarum ! quæ nequaquam satis deferbuisset post aliquanto sentire cæ-*

that when he pronounced it, being then very young, he was extremely applauded; he however censures it, as favouring too much of the greenness of youth; as rather requiring indulgence than deserving praise; as more to be commended for the hope it might give for the future, than any real present merit.

Let us return to Marius, whom we left full of glory, and who is going to draw reproach upon himself by a frantic ambition, and all the guilt of perfidy and treason.

Plut. in
Mar.

It did not suffice him to have been raised five times to the Consulship, and, which was unexampled in Rome, to have exercised that supreme office during four years successively. He desired, and solicited, a sixth Consulship with more ardour than ever person did to obtain it for the first time. He endeavoured to make himself agreeable to the people, by assuming the complaisant, and affecting kind and affable behaviour; which became him very ill, as it was doing violence to his character, that was naturally rough and imperious. To all these vain artifices he added one more effectual. He dispersed money in abundance among the Tribes; and thereby not only succeeded in being elected Consul for the sixth time, but set aside Metellus Numidicus, who stood for it, and caused L. Valerius Flaccus to be given him less as a Colleague than as a servant. It was at this time he contracted a great union with L. Appuleius Saturninus, the worst citizen of Rome. It is necessary to make that man known in this place. For this purpose I proceed to relate some facts concerning him, that I have reserved till now.

Cic. de
Har. Resp.
43. & pro
Sext. 43.

The first mention made of him in history is on the occasion of his Quæstorship. His province in that office was Ostia, with commission to provide grain, of which Rome was then in want. He was a young debauchee, mad after pleasure; so that he acquitted

pimus—Sunt enim omnia sicut adolescentis, non tam re & maturitate, quam spe & expectatione laudati. Orat. 107.

himself

himself very negligently of his employment. The Senate deprived him of it, and gave it to M. Scaurus. This affront touched Saturninus sensibly. He quitted voluptuousness, but only to become malignant, turbulent, and seditious : and from that instant his desire of being revenged upon the Senate was always uppermost.

Soon after, the 649th year of Rome, he obtained the office of Tribune : and as he had a kind of popular eloquence, he acquired credit, and served Marius, as we have related, on the occasion of his fourth Consulship. It appears, that from thenceforth he attached himself to Marius in a peculiar manner. For during this same Tribuneship, he proposed a law for distributing an hundred acres of land in Africa to each of the veteran soldiers who had served under that General. One of his Colleagues opposed that law. But the multitude, at the instigation of Saturninus, drove him away with stones. And this was but a kind of prelude to the excesses he afterwards ran into.

The friendship he had contracted with Marius naturally inclined him to hate Metellus Numidicus ; besides which, his vices prompted him to be the enemy of so virtuous a person. Orosius relates, that Oros. v. when Metellus was Censor, Saturninus had the impudence to drag him by force out of his own house, and to pursue him with arms quite to the Capitol, whither Metellus had been forced to fly for refuge. Saturninus besieged him there, and the Roman Knights were obliged to take arms, and fight to save the Censor, in which tumult abundance of blood was shed. Probably this fact is to be referred to the other contests which Metellus had with Saturninus, during his Censorship, and which was very violent.

The Censor was for excluding him the Senate, as well as Servilius Glaucia, who by the unworthiness of his conduct was the reproach of that body. But besides, another quarrel, excited also by Saturninus, occasioned a furious sedition. One L. Equitius gave

himself out for the son of Ti. Gracchus, and presented himself to the Censors, in order to be registered as such upon the list of the Roman citizens. Metellus opposed this; declaring that Tiberius had but three sons, who were all dead, the one in Sardinia in the service, the other at Præneste, and the last at Rome; and that he could not suffer the glory of so illustrious a family to be sullied by a wretched impostor. The people, that idolized the name of the Gracchi, and were soothed with the hope of seeing it revived, broke out with great violence: stones flew about: the Censor was in danger; however, he persisted in rejecting the false Gracchus. One of the Tribunes, of whose name Valerius Maximus has left us in ignorance, supported Equitius, and undertook to make Sempronia, the sister of the Gracchi, acknowledge him. He caused that lady to come into the midst of the assembly, made her ascend the Tribunal of Harangues, and there in the presence of that mutinous people, called upon her to acknowledge her nephew, and to give him a kiss in token of their relation. Sempronia, on this occasion, shewed a resolution worthy of her name and rank; and notwithstanding the clamours of the multitude, expressed only contempt for the person who would falsely have introduced himself into her family. It is not known how the affair ended. It is probable enough, that the Collegue of Numidicus, who was at the same time his cousin-german, but who did not resemble him in point of constancy, permitted Equitius to have the quality, to which he pretended, upon the publick register. It is at least certain, that he exempted Glauca and Saturninus from the disgrace intended them, and continued them in the rank of Senators.

The Censorship of the two Metelli, Numidicus and Caprarius, was in the 650th year of Rome.

Saturninus soon after drew another affair upon himself, which wanted little of proving his destruction. Mithridates, so famous afterwards for his wars with Rome, formed at that time great designs against some
states

states adjoining to his dominions. But perceiving that he could not put them in execution without bringing over the Romans to his interests, he sent Ambassadors to Rome with great sums, to engage the voices of the principal persons of the Senate. The only author we have for this fact, does not positively say whether any money was given. The thing is very probable in itself. Saturninus, who thought this a good occasion for attacking the enemy with advantage, made a great noise on this head, and went so far as to insult the Ambassadors. The latter, encouraged by a great number of the Senators, who promised to support them with their whole credit, laid their complaints before the Senate, who alone took cognizance of this kind of affairs. The persons of Ambassadors had always been extremely respected at Rome, and in cases like this, the violators of the law of nations had always been delivered up to the state they had injured. Saturninus accordingly perceived the danger to which he had exposed himself, and spared no pains to interest the People in his favour. He appeared in the habit of a suppliant, throwing himself at the feet of the citizens, imploring their aid with tears in his eyes, and endeavouring to persuade them, that it was his attachment to the interests of the People, which had drawn upon him the hatred of the Senate, and that his accusers were his judges. On the day for passing sentence, an infinite number of citizens assembled in all the avenues to the Senate, which, probably intimidated by so extraordinary a concourse, did not dare to condemn Saturninus.

Diod. ap:
Fulv.
Ursin.

That factious man, irritated anew by the danger he had been in, verified the maxim advanced by Cato in Livy *, that it is better not to accuse a bad man, than to put it in his power to be acquitted. From that moment he set no bounds to his frantick malignity, and breathing nothing but the fiercest vengeance,

A. R. 651.
App. Ci-
vil. l. 1.
Liv. Epit.
lxix.
Oros. v.
17.

* Hominem improbum non accusari tutius est, quàm absolvi.
LIV. xxxiv. 4.

ance, he demanded the Tribuneship a second time. Metellus Numidicus was particularly the object of his fury, and he concerted with Marius to destroy him. It was necessary to begin by securing the success of his design in respect to the Tribuneship, which admitted great difficulties: and Marius, who was then Consul, and commanded the troops, engaged to make him Tribune at any price whatsoever. However, of the ten Tribuneships, nine were given away without including him. Aulus Nonius still disputed the tenth with him, and carried it. Saturninus, to whom the greatest crimes cost nothing, followed by great numbers of the dregs of the People, and some soldiers, with whom Marius supplied him, pursued Nonius, and killed him. This was an enormous act of violence, and directly repugnant to the publick liberty. However, it did not prevent Saturninus from being elected Tribune in a kind of clandestine or furtive assembly. Nobody dared to complain, and the crime remained not only unpunished, but triumphant.

Thus did Marius, who had bought the Consulship, and Saturninus, who had opened his way to the Tribuneship by murder, unite their strength and resentments; with this difference, however, that the one acted openly and without disguise, and the other concealed his views.

A. R. 652.
Ant. C.
100.

C. MARIUS VI.

C. VALERIUS FLACCUS.

As soon as Saturninus was in office, he proposed several laws. But that which made the most noise was a new Agrarian law for the distribution of lands, and the establishment of different colonies. The Senate, according to custom, did not fail to oppose this pernicious largess. The people were divided about it; because most of the citizens had no interest in it, and almost none but Marius's soldiers were to have any advantage from it. At length a formal opposition of
some

some of the Tribunes seemed of necessity to put a stop to the whole. But Ti. Gracchus had long before set the example of not regarding opposition.

A. R. 652.
Ant. C.
100.

Saturninus drove the opposing Tribunes out of the Forum, and made the citizens proceed to give their suffrages. Upon that, the Nobility, and more considerate part of the people, cried out, that thunder had been heard. The Tribune in a fury insolently replied: "It will hail presently, if you don't be quiet." On that word, as at a kind of signal, blows ensued; and both sides armed themselves with stones and staves. The faction of Saturninus was the strongest, and caused the law to pass.

Auct. de
vir. Illustr.

A very unusual clause had been added to it, by which it was decreed, that after the People had accepted the law, in five days the Senate should swear to observe it, and that whoever should refuse to take that oath, should be banished. This clause was a snare laid for the openness and steadiness of Metellus, and Marius employed artifice and fraud to make him fall into it. He declared in the Senate, that he should be far from taking so unjust an oath; and that, in his opinion, no wise man could ever resolve to do so. "For," added he, "if the law be good and useful in itself, it is an injury to force the Senate to swear the observance of it, as reason ought to induce them to it voluntarily: and if bad, it is the greatest injustice to extort an oath from us, in order to compel our consent to it." This argument was unanswerable; and the oath annexed to the law plainly manifested the injustice of the law itself. Accordingly Metellus protested absolutely, that he would never take the oath required by the Tribune. This was the very thing Marius wanted, not doubting but a declaration from his own mouth in full Senate, on a point wherein justice and right were on his side, would be an engagement from which nothing in the world would be able to make him depart.

Plut. in
Mar.

The fifth day after the passing of the law, being the utmost time limited for taking the oath, Marius

A. R. 652. assembled the Senate, affecting to appear anxious and
 Ant. C. perplexed. He said, "he was very much afraid that
 1co. the People would proceed to violent extremities, if the Senate refused the oath. But that he had thought of an expedient which would remedy every thing. That this was to swear to accept the law, in case it was law. That by this oath they would be under no real engagement; as it was notoriously known, that it had been passed by violence, contrary to the auspices, and after a clap of thunder had been heard and declared." Every body perceived the weakness and ridicule of this subterfuge: but the fear of banishment over-ruled all other motives. Marius went out in order to take the oath, and was followed by all the Senators in general, except one. This singular person was Metellus. Whatever prayers and remonstrances his friends could make to him, were to no effect: he persisted firmly in his principles, and determining to suffer all things rather than act any thing base, he quitted the forum, discoursing with those who accompanied him, and expressing himself in these remarkable words: "To do ill, is the effect of a corrupt heart: To act well, when there is nothing to fear, is the merit of a common man. But to act well in exposing one's self to the greatest dangers, is peculiar to the truly virtuous man."

What difference there is between man and man, between Marius and Metellus! the one making ability and political wisdom consist in fraud and dissimulation; the other laying down sincerity and probity as the sole foundations of merit and virtue: the one meditating to become the greatest person in the Commonwealth, even at the expence of honesty and virtue; and the other to be the best man in it. This contrast of characters I borrow from Plutarch.

Saturninus was not long without completing his crime. He made the People pass a decree to enjoin the Consuls to prohibit fire and water to Metellus, and all the subjects of the Commonwealth from receiving him into their houses: this was the form of banishment.

ment. All the persons of worth, compassionating his disgrace, repaired in a crowd to him, with the resolution to defend him : but he would not suffer a sedition to arise on his account, and quitted the city, consoling his friends, and reasoning with them to this effect : “ Either affairs will change, and then if the “ people come to themselves, I shall be recalled with “ honour ; or they will continue in the same state, “ and in that case is it not better to be removed from “ the sight of so many calamities ?” The extraordinary marks of esteem and affection paid him in all the places through which he passed, shews how highly a man was admired, who had chose rather to renounce his country than his duty. He stopped at Rhodes, where he lived agreeably, passing his time either in reading, for which he had always had abundance of taste, a great resource for an exile, or in the conversation of persons of worth and letters, who sufficiently abounded in that island.

In effect, banishment did not at all abate his courage ; and this is evident from an expression in one of his letters, which Aulus Gellius has preserved. “ * My adversaries,” says Metellus, “ have prohibited themselves the enjoyment of virtue and justice. “ As to me, I am not deprived of the use of fire and “ water ; and I enjoy the greatest glory.” It is plain he alludes to the prohibition of fire and water pronounced against him.

Marius, who had fomented the excesses of Saturninus, soon became the avenger of them. But it was necessary to force him to it. That seditious man, to whom he had once given the reins, tired him out with new crimes, which he committed every day. His insolence knew no bounds, as we may judge from his manner of treating Glaucia, who was however his friend, and not undeservedly. Glaucia was Prætor ; and as he was trying causes in the forum at

* Illi verò omni jure atque honestate interdicti. Ego neque aquâ, neque igni careo : & summâ gloriâ fruiscor. METELL. apud A. Gell. xvii. 2

A. R. 652. the same time that Saturninus was haranguing the
 Ant. C. people, the latter pretended that this was a failure of
 100. respect for him in quality of Tribune, and caused his
 curule chair to be broke to pieces.

Plut. in
 Mar.

Marius however kept fair with Saturninus, no doubt considering him as useful to his own views. He even took pleasure at first in stirring up the fire of discord between the Senate and that Tribune; and for that end acted the most unworthy part it is possible to imagine. For the principal persons of the Senate having applied to him, to persuade him to take upon him the defence of the Commonwealth against a frantick man that tore it in pieces; he received Saturninus at the same time into his house by another door: and pretending an indisposition that frequently obliged him to go out, he went to and fro from one apartment to the other, and behaved in such a manner, that he dismissed them all more incensed against each other than before. But Saturninus carried things to such an height, that Marius was at length obliged to renounce him.

Civil. l. 1. He stood a third time for the Tribuneship, and in order to render himself more agreeable to the people, he also set up the false Gracchus we have mentioned to be his Collegue. Marius then acted as became the Consul. He ordered Equitius (the impostor was so called) to desist from his demand, and on his refusal committed him to prison. But the people, ardently fond of the name that wretch assumed, broke open the gaol, brought him away by force, and elected him Tribune with Saturninus. This was not all. Saturninus was for having a Consul devoted to his will. He cast his eye upon Glaucia, who was in reality the man that best suited him*, by a meanness of soul equal to that of his birth. Glaucia could not legally be elected, because he was actually Prætor, and the laws required an interval between the Prætorship and Consulship. But Saturninus did not re-

* Summis & fortunæ & vitæ fordibus, Cic. Brut. n. 224.

gard the laws. On the day of election, the Consuls being arrived, the orator M. Antonius was first elected without difficulty. The second place was disputed between Memmius and Glaucia; and Memmius was upon the point of being preferred. Saturninus immediately set some of the assassins in his pay upon him, who knocked him on the head upon the Forum, in the presence of the whole people.

This last crime entirely ruined the Tribune. All orders of the state took fire at it. All the well-inclined citizens united to put a stop to an insolence and fury that threatened Rome with destruction. It was impossible for Marius to protect Saturninus against the publick indignation: and as he was always ready to change sides according to his interest, he put himself at the head of the person's enemies with whom he had hitherto always acted in concert. The Senate passed a decree, "that the Consuls C. Marius and L. Valerius should associate with themselves such of the Prætors and Tribunes of the People as they should judge proper, and defend the state, and the majesty of the Roman People, by all convenient methods." This decree gave the Consuls unlimited power. Marius employed it in all its extent. He made the citizens take arms, distributed the posts, and marched in person to the Forum, where Saturninus waited for him with his followers. The forces were certainly not equal. But there was still more difference between the two parties in respect to dignity, than in respect to strength. On one side, were both the Consuls, all the Prætors, except Glaucia, all the Tribunes, except Saturninus, the whole flower of the Nobility, the whole order of the Knights, and the whole Senate. Two venerable old men were remarkable amongst these, M. * Scaurus, the Prince of the Senate, who,

* Quum armatus M. Æmilius, princeps Senatus, in Comitio confisset, qui quum ingredi vix posset, non ad insequendum sibi tarditatem pedum; sed ad fugiendum impedimento fore putabat: quum denique Q. Scævola, confectus senectute, præpeditus morbo, mancus, & membris omnibus captus & debilis, hastili nixus, & animi vim, & infirmitatem corporis ostenderet. Cic. pro Rabir. n. 21.

A. R. 652.
Ant. C.
100.

though scarce able to walk, believed, says Cicero, that the gout, which he had in his feet, was no obstacle for him, because it only prevented him from flying; and Q. Scævola, worn out with age and infirmities, paralytick, and almost without the use of his hands and arms, who supporting himself on a pike, shewed at once the greatness of his courage, and the weakness of his body. On the other side, all was contemptible; to begin with the leaders, a factious Tribune, a Prætor, whose worthlessness was a disgrace to his office, and the false Gracchus. Next to these, almost the only persons worth mentioning, were the Quæstor Saufeius, and one Labienus, the friend of Saturninus. These were only the dregs of the people, a seditious mob.

The victory could not long be doubtful; and Saturninus was soon obliged to take refuge in the Capitol, with those I have mentioned, and the gross of his followers. They were rendered incapable of defending themselves long, by cutting off the canals that brought water thither. In this extremity, Saufeius, reduced to despair, proposed setting the Capitol on fire, to put an illustrious end, said he, to their noble and unfortunate enterprize, in making so august a temple their funeral pile. But Saturninus and Glaucia did not agree with him, and relying upon Marius's friendship and credit, who favoured them underhand, they sent Deputies to the Consuls, surrendered upon the publick faith, and quitted the Capitol. Marius would most willingly have saved them; but it was not in his power. The populace crying out, that they were the enemies of the State, with whom no engagements could be made without the consent of the Senate, fell upon those that were next him, and that very day destroyed all the leaders of the sedition. Saturninus protested to no purpose, that he had done nothing without the authority and advice of the Consul Marius. He was massacred by the enraged multitude, with the Prætor Glaucia, and the false Gracchus, who the same day had entered upon office as a Tribune, which

which circumstance gives us the exact date of this event. For the Tribunes began their administration on the fifth of December. The body of Saturninus was torn to pieces : and Rabirius carried his head with insult from house to house throughout the whole city. The slave, who killed him, was rewarded with his liberty, and the estates of the authors of the sedition were confiscated.

A. R. 652.
Ant. C.
100.

The memory of Saturninus had not the same advantage as that of the Gracchi, whom indeed he hardly resembled, except on the worst side. It was detested after his death, as his person had been during his life. Two remarkable facts evidently prove, that to seem to retain any esteem or attachment for him, sufficed for being treated as a criminal. One C. Decianus, in a discourse which he made to the people, having spoke honourably of Saturninus, was condemned. Sex. Titius was also banished, for having a picture of Saturninus in his house. This may seem excessive rigour : but Cicero did not judge it so. In speaking of the condemnation of Titius, he expresses himself as follows : “ The * judges considered as a bad citizen, as a member that deserved to be cut off from the Commonwealth, the man, who by shewing the picture of a seditious person, the declared enemy of his country, expressed either a desire to pay a kind of homage to his memory, or proposed to excite the regret or compassion of the multitude for him ; or lastly, seemed to think like him, and designed to follow his example.”

Val. Max.
viii. 1.

As soon as Saturninus was dead, the return of Metellus was much talked of : this was the general wish of all good men, and seems a necessary consequence of the treatment he had suffered from the Tribune,

* Statuerunt Equites Romani, improbum civem esse, & non retinendum in civitate, qui hominis hostilem in modum seditiosi, imagine, aut mortem ejus honestaret, aut desideria imperitorum misericordiâ commoveret, aut suam significaret imitandæ improbitatis voluntatem. Cic. pro Rabir. 24.

A. R. 652. who banished him. The faction of Marius prevented
 Ant. C. the effect of that almost universal disposition in his
 100. favour. The Tribune, P. Furius, whom Metellus,
 in his Censorship, had deprived of the rank of Knight,
 opposed it in form; and that man of the lowest con-
 dition, the son of a freedman, rejected with inflexible
 inhumanity the entreaties of Metellus the younger,
 who threw himself at his feet with tears in his eyes, to
 solicit the return of his father.

A. R. 653.
 Ant. C.
 99.

M. ANTONIUS.

A. POSTUMIUS ALBINUS.

Metellus was soon revenged upon Furius's arro-
 gance. That Tribune had no sooner quitted his of-
 fice, than Canuleius, one of his successors, having
 accused him, the people would not so much as suf-
 fer him to make his defence, and knocked him on
 the head upon the spot. He well deserved that un-
 happy end; for he was a pernicious citizen, at first
 the adherent, and afterwards deserter, of Saturninus:
 but the violence used in regard to him, is not there-
 fore the less to be condemned.

Diod. ap.
 Vales.

The occasion was too fair, to omit urging the re-
 cal of Metellus Numidicus. The whole house of that
 great man, which was so numerous and powerful, and
 so often honoured with the first dignities of the Com-
 monwealth, all its relations, who were of the principal
 families of Rome, employed their credit for repealing
 the decree, by which he had been condemned to ban-
 ishment. But his son had the principal glory of the
 success. That young man, for ever memorable for
 his filial affection, went from house to house in a
 mourning habit, shedding tears in abundance, and
 prostrating himself at the feet of every citizen, to so-
 licit a favour dearer to him than his own life. Marius
 did his utmost to oppose the re-establishment of the
 person whom he had so unworthily expelled, but in
 vain. The People, on the motion of Callidius, one
 of

of the Tribunes, recalled Metellus. The * warm and tender affection expressed by his son on this occasion, obtained him the surname of *Pius*, as much as to say, good son, man of an excellent disposition: a surname of less glory, but more estimable, than the titles of the conquerors of nations.

A.R. 653.
Ant. C.
99.

Metellus was present at the celebration of games when he received the letters that informed him of his recal. He deferred reading them till the shews were over. No emotions were observed in his countenance. He † was always the same in both fortunes; always master of himself, and superior to all passions, as his banishment had not overwhelmed him with grief, his recal was attended with no immoderate joy.

When it was known, that he was upon the point of arriving at Rome, the Senate and People, the rich and poor, in a word, the whole city, seemed to contend who should be foremost in meeting him, and to make some kind of reparation for the injustice committed against him. It ‡ may be said, that neither offices, nor triumphs, ever did him more honour, than either the cause of his banishment, the wise conduct he observed in it, or lastly, the glory of his return.

Marius, not being able to bear the sight of the honours, which he rightly foresaw would be paid to his enemy (for the homage paid to virtue is the greatest of torments to envy), had quitted the city, and embarked for Cappadocia and Galatia; alledging as an excuse, that he was going to perform the sacrifices he had vowed to the mother of the Gods. We shall see Plut. in the sequel that he had also another secret view, which was to excite and hasten the war Mithridates

* Metellus Pius, pertinaci erga exfulem patrem amore, tam clarum lacrymis, quam alii victoriis nomen affecutus. VAL. MAX. v. 2.

† Eundem constat pari vultu & exfulem fuisse, & restitutum: adeo moderationis beneficio, medius semper inter secundas & adversas res animi firmitate versatus est. VAL. MAX. iv. 1

‡ Nec triumphis honoribusque, quam aut causâ exsilii, aut exilio, aut reditu clarior fuit Numidicus. VELL. PATERC. ii. 15.

A. R. 653.
Ant. C.
99.

was suspected to meditate against the Romans; not doubting, but in that case, the command of the armies would be given to him, and consequently the occasion of acquiring new glory, and new riches. Accordingly, though that King spared nothing in his reception, and even overwhelmed him with marks and professions of honour, Marius would neither suffer himself to be softened, nor be induced to return him deference for deference, but said to him with his usual haughtiness, “King of Pontus, you must either “make yourself more powerful than the Romans, or “submit to their orders.” Mithridates, who had never heard any one speak to him in such a stile, conceived then an idea of the Roman pride, which he had hitherto only known from the report of others.

S E C T. III.

Birth of Cæsar. Antonius had triumphed over the Pirates. Aquillius, accused of extortion, is saved by the eloquence of Antonius. Oppressive exactions of the Roman Magistrates in the provinces. Admirable conduct of Scævola, Proconsul of Asia. Human victims prohibited. Duronius is expelled the Senate for a very remarkable reason. The kingdom of Cyrene left to the Romans by will. Sertorius, a military Tribune, signifies himself in Spain. Praise of Crassus and Scævola. Law passed by the Consuls to prevent usurping the freedom of Rome without right. Scævola renounces the government of the province fallen to him by lot. Integrity and noble confidence of Crassus. Sedition of Norbanus. He is summoned to take his trial. Character of Sulpicius. Wise advice given him by Antonius. Prætorship of Sylla. He exhibits a shew of a combat, with an hundred lions unchained. Decree of the Censors Crassus and Domitius against the Latin rhetoricians. Debates between the Censors. Luxury of the orator Crassus. Unjust condemnation of Rutilius. He goes into voluntary banishment. He is invited to return to Rome by Sylla, and refuses. He had made himself master of all polite knowledge.

M. ANTONIUS

M. ANTONIVS.

A. R. 653.

A. POSTVMIVS ALBINVS.

Ant. C.

99.

THE recal of Metellus Numidicus, and the birth of J. Cæſar, are the only events that diſtinguiſh the Conſulſhip of M. Antonius.

His Prætorſhip had been more illuſtrious, during which he overcame the Pirates, who appear in this place for the firſt time in hiſtory; but of whom we ſhall have much to ſay in the ſequel. He purſued them as far as Cilicia, which was their aſylum and rendezvous; and ſome probable conjectures give room to believe, that he gained advantages over them conſiderable enough to deſerve a triumph. This was in the third or fourth Conſulſhip of Marius.

Pigh. Ant.
nal. ad n.
651.

Q. CÆCILIVS METELLVS NEPOS.

A. R. 654.

T. DIDIVS.

Ant. C.

98.

Whatever honour a triumph might do M. Antonius, his eloquence made him ſtill more remarkable, both during his life, and to poſterity. He gave a glorious proof of it this year in the cauſe of M'. Aquillius, who had terminated the war againſt the ſlaves of Sicily with equal valour and ſucceſs; but who did not pique himſelf ſo much on his probity as on his courage, and whom the love of money had induced to commit many acts of injuſtice. He was in conſequence accuſed of extortion. Facts were cited, witneſſes produced, and proofs employed againſt him, that were unanſwerable. He encreaſed the danger he was in by his pride, which would neither ſuffer him to put on the ſuppliant, nor to implore the mercy of his judges. If ever cauſe was deſperate, his was; and his condemnation ſeemed inevitable.

But his advocate was one of the moſt excellent orators Rome had ever produced. Antonius wanted nothing, either on the ſide of nature, or on that of art,

A. R. 654.
Ant. C.
98.

art, which he however disguised, * affecting no great cultivation of mind, from the belief that his discourse would make the greater impresson on his hearers, because they would have less suspicion of him. He † seemed to plead without any preparation; but however was so well prepared that his judges did not seem always sufficiently so to be upon their guard against the latent art of his pleadings. His great talent consisted in moving the passions; and never did that talent appear with greater lustre than in a disadvantageous cause, as was that of Aquillius. It is himself, or if you will, Cicero in his name, who makes this remark. “When ‡ the judges incline in my favour, and give in of themselves to what I would have them, I take the advantage of that favourable disposition, and make all the sail I can with the wind. But when I find them indifferent and unaffected, the thing is more difficult: for then the orator must produce, or in a manner create anew, by the pure force of eloquence, all the sentiments he has occasion to excite, without the aid or favour of any previous disposition, independent of himself. However, I do not despair. For eloquence, which a good poet justly stiles, “the mistress of the affections
“of the mind, the queen that exercises absolute dominion over mankind,” eloquence has an invincible force, that nothing can resist. Little satisfied with

* Antonius probabiliorem hoc populo orationem fore censebat suam, si omnino didicisse nunquam putaretur. De Orat. ii. 4.

† Erat memoria summa, nulla meditationis suspicio. Imparatus semper ad dicendum ingredi videbatur: sed ita erat paratus, ut Judices, illo dicente, nonnunquam viderentur, non satis parati ad cavendum fuisse. Cic. Bruto, 139.

‡ Si se dant [Judices,] & sua sponte, quo impellimus, inclinant atque propendunt; accipio quod datur, & ad id, unde aliquis status ostenditur, vela do. Sin est integer quietusque iudex, plus est operis: sunt enim omnia dicendo excitanda, nihil adjuvante natura. Sed tantam vim habet illa, quæ rectè à bono poëta dicta est “flexamina
“atque omnium regina rerum oratio,” ut non modo inclinantem impellere *, aut stantem inclinare, sed etiam adversantem & repugnantem, ut imperator bonus ac fortis capere possit. De Orat. ii. 187.

* I read Impellere instead of Erigere, which seems contrary to all the rest of Cicero’s meaning here.

itself,

itself, when it has only to give the bent to which men are already inclined, or to overcome their unmoved indifference; it glories in bearing down all before it, notwithstanding their resistance, and in compelling them by victorious efforts to surrender their arms."

It was in this manner Antonius pleaded the cause of which I am now speaking. After having made the most in his discourse of all that could be said in favour of Aquilius, when he was going to conclude, he seized him by the arm, tore open his vest before, and shewed the judges the scars of the glorious wounds he had received in different battles. He also expatiated very much upon another wound, which had been given him last of all in the head by Athenion, that brave chief of the revolted slaves.

It is easy to conceive what effect such a sight must have produced upon the minds of the judges, when attended with strong and pathetic expressions, that argued an heart highly touched with grief and commiseration. "I could not, says he, * have excited these sentiments in others, if I had not been highly affected with grief myself. And how could I be otherwise, when I saw a man, not long before honoured with the Consulship, the command of armies, and a triumph, in affliction, humiliation; in danger of losing his honour and his country, and reduced to the most deplorable state in the world? Marius, who

* Nolite existimare—quum mihi M'. Aquilius in civitate retinendus esset, me, quæ in illa causa peroranda dixerim, sine magno dolore fecisse. Quem enim ego Consulem fuisse, Imperatorem ornatum à Senatu, ovantem in Capitolium ascendisse meminissèm, hunc quum afflictum, debilitatum, mœrentem, in summum discrimen adductum viderem, non prius sum conatus misericordiam aliis commovere quam misericordiâ sum ipse captus—

Quum C. Marius mœrorem orationis meæ præsens ac sedens multum lacrymis suis adjuvaret, quumque illum ego crebrè appellans, collegam ei suum commendarem, atque ipsum advocatum ad communem Imperatorem fortunam defendendam invocarem: non fuit hæc sine meis lacrymis, non sine dolore magno miseratio, omniumque decorum & hominum & civium & sociorum imploratio. Quibus omnibus verbis, quæ à me tum sunt habita, si dolor abfuisset meus, non modo non miserabilis, sed irridenda fuisset oratio mea. De Orat. ii. 194, 195, 196.

A. R. 654.
Ant. C.
98.

was present, and shewed the concern he was in in respect to the sentence, that was upon the point of being passed, was a great assistance to me, and much enforced my discourse by the tears he shed. I frequently addressed myself to him, recommending to him a friend and ancient Collegue, and representing, that the cause I pleaded was the common cause of all Generals of armies. I implored the aid of gods and men, of citizens and allies, in favour of my client; and in all I said, I introduced a reality of passion, a grief of heart, without which my discourse, so far from moving, would have been laughed at."

The success answered the wishes and hopes of the pathetic orator. "The * judges, says Cicero, in one of his orations, were afraid, that if they condemned a person whom fortune had preserved from the swords of the enemy, and who had not spared himself for the safety of the State, he would seem to have escaped so many dangers, less to be the ornament and glory of that empire, than a victim to the merciless rigour of the judges." Aquillius was acquitted, and gaining the cause acquired his defender universal admiration. I have dwelt the more willingly upon this fact, as Livy had mentioned it, which appears from Epitome LXX. Besides which, it is not useless, even to history, to observe in so famous an example as this is, that the manner of pleading amongst the Romans was very different from ours; and that if ours be more close, precise, and confined to arguments and proofs, theirs, by taking in a greater field, gave room at the same time for greater strokes of eloquence.

It might perhaps have been desired for the good of the provinces, that Antonius's eloquence had not made so great an impression upon Aquillius's judges; and that the accused had undergone the sentence his

* Eo adduxit eos, qui erant judicaturi, vehementer ut vererentur, ne quem virum fortuna ex hostium telis eripuisset quum sibi non percussisset, hic, non ad populi Romani laudem, sed ad Judicium crudelitatem videretur esse servatus. In Verr. v. 3.

extortions deserved, in like manner as he had received a triumph as the just reward of his valour and services. For the avidity of the Roman Generals and Magistrates encreased from day to day, and the subjects of the empire were exposed to all kinds of oppressions from them. These excesses were practised with greater licence, as the Roman Knights, who had the sole administration of justice in Rome, were interested in favouring them. For the publicans, or tax-farmers, as we have already observed more than once, were of the order of Knights. In consequence, the Proconsuls and Proprætors, by overlooking the avidity of the publicans in the provinces, were sure of gratifying their own with impunity, as their judges at Rome were the friends, partners, and associates of those they supported in their oppressions.

A. R. 654.
Ant. C.
98.

Diod. ap.
Valef.
l. xxxvi.

There were still however some amongst the Roman Magistrates who did not suffer themselves to be carried away by the torrent of bad example, and who even thought it for their honour to oppose it. History gives us two of this kind at the time of which we are speaking, though it is not easy to determine exactly the year they governed their happy provinces.

The first is Q. Mucius * Scævola, who was sent Proconsul into Asia. His first care was to chuse an excellent Lieutenant-General; the virtuous Rutilius, who was his friend and principal counsellor. Integrity and incorruptibility are the least virtues that deserve praise in Scævola. He scarce exacted the sums from the provinces that custom admitted him to levy for the support of himself and his household. He found a better resource, which was that of a frugal simplicity. But what did him the greatest honour was, notwithstanding the enormous credit of the Roman Knights, his generously attacking the publicans who had committed oppressions, and punishing them with strict justice. He gave ear to the complaints brought

* This is Scævola the Pontiff, who must not be confounded with Scævola the Augur, of whom we have spoken elsewhere.

A. R. 654. against them, and if they were proved, condemned
 Ant. C. them to make the injured amends; and to reduce
 98. them to do so, gave them up according to the Ro-
 man laws to their adversaries. It was a very unex-
 pected and grateful sight to all Asia, to see those
 haughty oppressors dragged to prison in their turn by
 those they had robbed. If he treated the masters in
 this manner, we may reasonably believe that their in-
 ferior officers, who were commonly only slaves, were
 not spared. One of these, who was a kind of prin-
 cipal agent to them, Scævola ordered to be crucified,
 though he had already negotiated his liberty with his
 masters, and was ready to pay the price for it. By
 this conduct he regained the Roman People the af-
 fection of the Asiatics; and acquired it so much
 for his own person, that according to an impious
 custom, though authorized by idolatry, they esta-
 blished a festival in honour of him, which was called
 the Mucian feast. The Senate afterwards proposed
 the conduct of Scævola to Proconsuls, as the model
 by which they should direct themselves. We shall
 soon see in what manner the Roman Knights revenged
 themselves upon Rutilius; probably not having occa-
 sion to do so upon Scævola.

Cic. in
 Verr. ii.
 51.
 Val. Max.
 viii. 15.

The second example which I am to relate, is that
 of L. Sempronius Asellio, Prætor of Sicily. To
 give an idea of the wisdom of his government in a
 word, it suffices to say, that he was the worthy imi-
 tator of Scævola. But one circumstance, which
 highly merits our notice, is his peculiar attention in
 protecting the weak. Other Prætors gave guardians
 to young persons and women who had no near rela-
 tions. As to him, he made himself the guardian of
 all those who had none; and taking care of their
 affairs personally, preserved them from oppression.
 In a word, by being the avenger of all injustice, pub-
 lick or private, he restored those happy times in Si-
 cily, of which it had almost lost the remembrance.

Diod. libid.

CN. CORNELIUS LENTULUS.

P. LICINIUS CRASSUS.

A. R. 655.
Ant. C.
97.

The second of the two Consuls of this year is the father of the famous Crassus, one of the first Triumvirate with Pompey and Cæsar.

A decree of the Senate was passed under these Consuls, to prohibit human sacrifices. For hitherto, to the disgrace of human nature, and of the Roman nation in particular, those abominable sacrifices had been practised at Rome by the publick authority. This is the first time they were forbid; nor did this prohibition suffice to abolish them. If we may believe Dio, Cæsar revived them: and Pliny tells us, that the age in which he lived had more than once been witness of them.

Plin. Hist.
Nat. xxx.
1.

Dio. 1.
xlii.
Plin.
xxvii. 1.

A resolution having been taken for creating Censors, every body expected that Marius, who was then returned to Rome, would stand for that office. But since the affair of Saturninus, his credit was so much declined, both with the Nobility and People, that he was afraid to present himself for fear of being rejected. He however gave the thing a turn to his advantage, in saying, that he was unwilling to render himself odious, by the severity the Censorship would have made incumbent upon him. M. Antonius and L. Valerius Flaccus were elected Censors.

Plut.

The particulars of their conduct in that office is not come down to us. All that we know is, that they nominated M. Æmilius Scaurus Prince of the Senate, and struck M. Duronius out of the list of Senators, because when he was Tribune of the People, he had repealed the * law for moderating the expences of the table. Valerius Maximus places the unworthiness of this Tribune's behaviour in all its light. He tells us, that he ascended the Tribunal of

* The last law of this kind was the law Licinæ, of which we have spoke before.

A. R. 655.
Ant. C.
97.

Harangues to make the following complaints to the People: " A check is laid upon your luxury, Romans, which you ought not to endure: your liberty is laid under a restriction that should be insupportable to you. A law is made to oblige you to be frugal. We cancel and annul that decree, as favouring of the rust of rude and savage antiquity. For in a word, of what use is liberty to you, if you are not permitted to perish by luxury, as you desire it?" The sense of the discourse held by the Tribune for abolishing the law in question must indeed have been to this effect.

A. R. 656.
Ant. C.
96.

CN. DOMITIUS AHENOBARBUS.

C. CASSIUS LONGINUS.

The Roman greatness increased by every kind of method. We have seen Attalus Philometor, King of Pergamus, bequeath his dominions to the Romans by will. This year Ptolomæus Apion did the same. He was the natural son of Ptolomæus Physcon, King of Egypt, who at his death had provided for his establishment, by giving him Cyrenaica and the adjacent countries. This partition of the kingdom of Egypt was to have ceased, as it seemed, after the death of the person for whom it had been made. Apion preferred the Romans, and thereby diminished the power of the Ptolomies, which was not a little declined already from domestick divisions and civil wars. The Romans gave the cities lately bequeathed to them liberty. They were inhabited by Greeks, to whom such a present was infinitely agreeable; and the Romans thereby avoided the suspicion of avidity.

T. Didius, who had been Consul in 654, had made war during two years after in Spain with considerable success. But we should have been entirely ignorant of all that had passed during his command, if Sertorius had not served under him as Tribune of the soldiers. That has preserved us a fact related by Plutarch, in which we shall discern the genius of Sertorius,

rius, who was a man of great presence of mind, and knew how to unite stratagem with boldness.

A. R. 656.
Ant. C.
96.

He was in garrison at Castulo, a city situated upon the Bætis, or Guadalquivir, and famous in history from the time of the war with Hannibal. The Roman soldiers living in great plenty, made an immoderate use of it, and gave themselves up to wine and every kind of excess. The inhabitants of Castulo took advantage of this dissolute negligence. They applied to the Gyrifæniî, their neighbours and allies; and having obtained aid from them, which they secretly introduced into their city, they fell upon the Romans, of whom they killed a great number. Sertorius escaped, and having assembled all those who had found means to quit the place, he went round it to the gate where the succours had entered. The Barbarians had not taken the precaution to post a guard there. Sertorius seized and left a party in it, and falling upon the Spaniards, put them all to the sword.

This was not all. He made the Romans put on the habits of those they had lately killed, and led them immediately to the city of the Gyrifæniî. The latter, deceived by the Spanish habits, believed them their own citizens and allies returned with victory, and opened their gates to them. Sertorius killed abundance of them, and sold the rest, who surrendered at discretion; and in this manner not only recovered a city which had been almost lost to the Romans, but added a new conquest to it.

L. LICINIUS CRASSUS.

Q. MUCIUS SCAEVOLA.

A. R. 657.
Ant. C.
95.

The two Consuls of this year are extremely illustrious. The one was the orator Crassus, whose eloquence is so much celebrated by Cicero. I have spoke of him elsewhere with sufficient extent. The other is the same Scævola, whose admirable conduct in the Proconsulship of Asia I have related just above.

A a 4

They

A. R. 657. They lived in great friendship, and had been Col-
 Ant. C. leagues in all the great offices, except the Tribuneship,
 95. which Scævola had not exercised till a year after
 Crassus. They resembled each other very much in
 their talents. For they were * both orators and
 lawyers, but with this difference; Scævola excelled
 most in the knowledge of law, and Crassus in elo-
 quence. The same was observed in every thing else.
 They were † alike in all things, uniting in themselves,
 but in an unequal degree, qualities that balanced
 each other, so that it was hard to know to which to
 give the preference. Crassus, of all those who were
 studious of elegance and the ornaments of speech,
 was the person who employed both with most mode-
 ration and reserve; and Scævola, of those who piqued
 themselves upon being sparing and reserved in respect
 to ornaments, gave most elegance to his stile. Cras-
 sus united a serious and something severe air, with
 great natural politeness: Scævola tempered the seve-
 rity, which was natural to him, with polite and in-
 sinuating behaviour.

The Consulship of these two great men furnishes us
 no other considerable event, except a law, which they
 passed in concert, to prevent usurping the freedom of
 Rome, which abundance of Latines and other Italians
 had assumed, without any legitimate title or pretence.
 It had long been necessary to obviate frauds of this
 nature, that multiplied exceedingly. I have related
 the precautions which were taken to remedy this abuse
 in the Consulship of C. Claudius and Ti. Sempronius,
 A. R. 575. The thing was carried much farther by
 M. Junius Pennus, Tribune of the People, who in
 626, passed a law to oblige all persons, who were not

* Eloquentiam jurisperitissimus Crassus, jurisperitorum eloquentis-
 simus Scævola putabatur. Cic. Brut. 145.

† In reliquis rebus ita dissimiles erant inter sese, statuere ut tamen
 non posses, utrius te malle similiorem. Crassus erat elegantium par-
 cissimus, Scævola parcorum elegantissimus. Crassus in summa comi-
 tate habebat etiam severitatis satis; Scævola multa in severitate non
 deerat tamen comitas. Id. ibid. 148.

citizens, to quit Rome; a cruel law *, a law contrary to humanity, which C. Gracchus, then very young, opposed with all his might, but ineffectually. The law of our two Consuls was wise. It is unjust, and contrary to good order, that those who are not citizens should pass themselves for such: and this was all that it prohibited. It was however charged with having hurt the Commonwealth, and occasioned the revolt of the states of Italy, and the war with the allies. But the evil was of more ancient date, and had a deeper root.

A. R. 657.
Ant. C. 1
95.

Cic. pro
Cornel. &
ibi Ascon.

We do not know what province fell to Scævola. But he renounced it. He could not add any thing to the glory he had acquired in his government of Asia.

Crassus, after the year of his Consulship was elapsed, went to Gallia Cisalpina, which was his province; and all his wisdom was not proof against the desire of a triumph. He checked the incursions of some mountaineers, who from time to time infested the low country. But his exploits were neither considerable, nor the war itself very necessary; if it be true, as † Cicero elegantly says, that he was almost for fencing with the rocks of the Alps; and sought matter of triumph, where there was no enemy. Accordingly he demanded a triumph, and his credit was so great in the Senate that he would have obtained it. But Scævola's austerity interposed. Though he was his friend and colleague, he preferred the honour of the Commonwealth to private ties, and prevented his demand from being granted.

For the rest, Crassus acted in his government with the utmost virtue and integrity. And Carbo, the son of him he had accused and caused to be con-

Val. Max.
iii. 7.

* Esse pro cive qui civis non sit, rectum est non licere: quam legem tulerunt sapientissimi Consules, Crassus & Scævola: usu verò urbis prohibere peregrinos, sanè inhumanum est. Cic. de Offic. iii. 47.

† L. Crassus, homo sapientissimus nostræ civitatis, spiculis prope scrutatus est Alpes; ut ubi hostis non erat ibi triumphî causam aliquam quæreretur. Cic. in Pis. 62.

A. R. 657.
Ant. C.
95.

demned, coming into Gaul to be a spy upon his actions, that wise Magistrate was so far from fearing him, that he assigned him a place by his side on his tribunal, and gave judgment on no affair except in his presence, and before his eyes: a noble confidence, and more for his honour than his great talents!

Whilst Crassus was at Rome, and still Consul, the Tribune Norbanus excited a violent sedition there, by accusing Cæpio before the people. I have related the particulars of it above, and the event in respect to Cæpio. This affair had consequences to Norbanus, of which I am going to give an account.

A. R. 648.
Ant. C.
94.

C. COELIUS CALDUS.

L. DOMITIUS AHENOBARBUS.

Under these Consuls Norbanus was cited to take his trial, as guilty of high-treason, by the sedition of which he had been the author. Historians are allowed to describe battles between Generals in the field; and wherefore should they not be also indulged in relating conflicts of another kind, but not less affecting and instructive to a great number of readers? I mean those of eloquence between the most illustrious orators of antiquity. We are going to see one, of which Cicero has explained to us the whole art and address. Sulpicius was the accuser of Norbanus, whom Antonius defended. What has hitherto been said of Antonius suffices for our knowledge of him.

Cic. de
Orat. i.
231, 232.

Sulpicius was then very young. He was designed by nature to be a great and sublime orator. He had fire, vehemence, and elevation of mind. As to all the parts that constitute the eloquence of the body, an happy and noble physiognomy, the graces and dignity of action, a sweet, and at the same time a strong voice; all these advantages he possessed in an eminent degree. But let us hear what Antonius is going to say of him. "I heard Sulpicius plead, whilst very young, a cause of no great consequence; and was charmed with him. His elocution only seemed

Ibid. 88,
89.

seemed to have a little too much of the vivacity of his years : it was bold and too luxuriant. This did not disgust me : for I desire and love that abundance of thoughts and expressions in a young man, though it exceeds bounds, and in a certain degree departs from justness and propriety. Finding his genius so happy, I strongly exhorted him to cultivate it with care ; to consider the bar as the best school in which he could form himself ; and to make some one of the most illustrious orators his model ; adding, that, if I might advise him, he would make choice of no other but Crassus. He took my advice, and told me out of politeness, that he also desired to have me for his master. A year was scarce elapsed after this conversation, when he accused Norbanus, whose defence I took upon myself. I cannot express the change I observed in what he now was, from what he had been but an year before. His genius naturally led him to that lofty and magnificent kind of eloquence, which we admire in Crassus : but he would not have attained to it, if to his happy faculties he had not added assiduous application ; and in pleading had not employed his whole attention in imitating the excellent model he had proposed to himself."

We see here the great use of which senior orators of the first rank may be to those who enter upon the noble profession of the bar : and in my opinion it is matter of great consolation to them, to see a shining and laborious youth tread in their steps, by improving from their advice, and following their example.

I come now to the cause of Norbanus, upon which Antonius explains himself admirably. He had insisted much upon this fundamental maxim in eloquence, that the orator himself should be strongly moved, if he would move others : after which he proceeds in the following manner, addressing himself to Sulpicius. " But what need I observe this to you, you, who when you set up for the accuser of Norbanus, who had been my Quæstor, so strongly animated

the

A. R. 653.
Ant. C.
24.

the Judges, not only by the energy of your discourse, but still more by the warmth of the sentiments of grief and indignation with which you seemed penetrated, that I was almost afraid to attempt to extinguish the kind of flame you had kindled in the minds of all that heard you?

“ Indeed, in the cause you pleaded, every thing favoured you. You laid before the Judges matters of truly great import; a publick violence, an assembly obliged to disperse by flight, stones discharged in volleys by the seditious, a cruelty that rose to excess against the unfortunate Cæpio, the most illustrious citizen of Rome; the Prince of the Senate (Scaurus) wounded by a stone; and lastly, two Tribunes of the People driven by force from the Tribunal of Harangues: all this seemed atrocious, and could not be denied. Besides which, the laudable zeal professed by so young a man as you, for the good order and honour of the Commonwealth, was generally applauded: whereas it seemed scarce consistent for an old Censor, as I was, to defend a seditious citizen, and one who had taken upon him to encrease the misfortune of a person of Consular dignity. We had excellent citizens for our judges: the publick place was full of persons of worth; so that it was not without great difficulty I was allowed some shadow of excuse, on account after all, that the person I defended had been my Quæstor.

“ It was in this disposition of mind I found every body. Whether there was art, or not, in my discourse, you will judge. As to me, I shall content myself with relating what I did. I ran over all the different kinds of seditions that had disturbed the Commonwealth, tracing them back to the most remote times: I did not palliate their inconveniences and dangers; and concluded, that indeed all these seditions had been unhappy; but that some ought however to be considered as just and necessary. I shewed, that the Kings could neither have been expelled, Tribunes created, limitations given to the Consular power

power by the decrees of the People, as had been so often done, nor the right of appealing to the People instituted; that right, which may justly be termed the asylum of the citizens, and the bulwark of liberty, without a strong resistance on the side of the Nobility, attended with violent commotions. That consequently, if all these seditions had been salutary to the Commonwealth, tumultuous commotions excited by the People on the affair in question ought not to be imputed, without strict enquiry, to Norbanus as a capital crime.

“ After this first step, I proceeded to a second. I added, that if it were allowed, that the People, on some occasions, had just reason for violence and insurrection, as could not be denied, they certainly never had a more legitimate cause for them than in the present case. In this place I gave a loose to my genius: I inveighed strongly against Cæpio’s shameful flight: I deplored the loss of the army. I thereby revived the grief, and opened the wounds of those, who lamented their relations killed in that unfortunate battle: and at the same time I reanimated, and supported with the motive of publick good, the hatred of the Roman Knights, our judges, for Cæpio, who had desired to divest them, at least in part, of the administration of justice.

“ When I perceived that I had gained the ascendant of my audience, and that the judges seemed to have become favourable to my cause; to the warm and vehement passions I had hitherto employed, I substituted mild and more soothing sentiments. I represented that my all was now in question: that I spoke for a friend, who having been my Quæstor, according to the maxims of our ancestors, ought to be as dear to me, as if he were my own son. That after having frequently been of some service to unknown persons, with whom I had no other tie than that of being citizens of the same state, it would be equally afflictive and shameful to me, not to have it in my power to lend the like aid to a man with whom I had so strict

A. R. 658. an union. I desired the judges, that they would suffer themselves to be moved out of consideration for my age, the offices with which I had been honoured, the services I might have rendered the Commonwealth, and lastly, with the just and tender sorrow with which they saw me so much affected: that they would not refuse me the first grace I had ever asked them personally for myself, having never used my interest for other accused persons I had defended, but as for my friends, whereas at present I considered the danger as my own.

“ I managed this cause therefore in a manner that might seem contrary to the rules of art, but with success. I touched but lightly upon the crime of treason to the state, which was the chief point of the charge. The whole weight of my argument turned upon the passions and manners; that is, I confined myself on one side, to revive the sentiments of hatred against Cæpio with vehemence; and on the other, to conciliate the affection of the judges to myself, by expressing the character of a tender and faithful friend. It was in this manner, Sulpicius, that by rather moving the heart, than convincing the reason, I triumphed over your accusation.”

This account of Antonius is further cleared up and confirmed by Sulpicius's answer. “ Nothing is more true, said he to Antonius, than what you have now related. For if ever I thought myself secure of success, it was on this occasion, in which I however saw it escape on a sudden out of my hands. When, after having kindled what you call a flame in the minds of the judges, I left you to speak: great gods, what an introduction was yours! What fear, trouble, hesitation, even to the syllables of your words, did you express! In what a manner did you lay hold of the only circumstance that could serve you as some excuse, the strict union established by our laws and customs between a Consul and his Quæstor? With what address did you take the advantage of that point, for attaining a favourable beginning with the Judges!

I how-

I however was not discouraged, imagining that all you would be able to gain by the fine and exquisite turns of an artful discourse, was, that in favour of your particular engagements with Norbanus, you would be excused for taking upon you his defence, and for charging yourself with a bad cause. But I was soon undeceived. You did not confine yourself to that; but insensibly insinuating yourself into favour, you carried your pretensions much farther. Nobody perceived it yet: but I began to fear in earnest, when I saw you give the cause a turn, by the means of which all that had passed was no longer a sedition, but an effect of the just wrath of the Roman People. What arguments did you not employ against Cæpio! What abhorrence and indignation did your discourse not breathe against the author of a bloody defeat; and at the same time, what commiseration, as well for the Commonwealth, as for the individuals who had perished in the battle! In the same manner you treated every thing that related to Scaurus and my other witnesses, not by refuting their depositions, but by ascribing the whole to the well-grounded resentment of the People."

Norbanus was in consequence acquitted, and the eloquence of Antonius again saved a criminal from the punishment he deserved. The Judges at Rome seem to have considered themselves next to absolute masters of the fate of the accused, rather than as slaves to the law. And happy it was when their caprice disposed them to afford a criminal grace, and not to destroy an innocent person.

The orator's address is however laudable in itself; and I thought I might be allowed to give it a place here, the rather, as facts purely historical are absolutely wanting at this period. It may serve both as a caution against the like artifices, and an example, in case of defending a good cause, but one compounded with, and obscured by, odious prejudices. In this light let me be indulged to make the following comparison.

It

A. R. 658.
Ant. C.
94.

It were undoubtedly to be desired, in order to form young Noblemen intended for the profession of war, that the great Generals, who, by the consent of the publick, have distinguished their superior merit in it, would take the trouble, after events are passed, to give us with their own hands the general plan of a campaign, conceived and contained in the head of only one person; the remote measures taken for a siege or a battle; the profound secrecy that prevented them from coming to the enemy's knowledge; the true causes of the success or miscarriage of an enterprise; and many other the like circumstances, which, properly speaking, are the soul both of an action and an history. And is it less useful for young advocates and persons intended for the bar, to be taught from his own mouth by one of the most famous orators of the ancient world, the whole art he used, and all the secret springs he employed, in a cause bad indeed, but which the best may resemble in point of difficulty? Is there any system of rhetorick comparable to such observations? Accordingly * Sulpicius, who had earnestly entreated Antonius to give him precepts of eloquence, confesses, that the explanation he had been pleased to repeat of what he practised himself in his pleadings, was infinitely more useful than all the precepts in the world †.

A. R. 659.
Ant. C.
93.

C. VALERIUS FLACCUS.

M. HERENNIUS.

Sylla, of whom nothing is said in history from the battle with the Cimbri, in which he served under Catulus, is now to appear again upon the stage, where he will have a principal figure to the end of

* Quæ quum abs te modò commemorarentur, equidem nulla præcepta desiderabam. Istam enim ipsam demonstrationem defensionum tuarum abs te ipso commemoratam doctrinam esse non mediocrem puto. Cic. ii. de Or. 204.

† Here Monsieur Rollin's manuscript ends.

his life. He was a Prætor this * year or the next. But, what is singular, this man, destined in a short time to see the whole Roman Empire subjected to his sway, found it sufficiently difficult to obtain the Prætorship; and he did not get it till he had experienced a refusal. He endeavoured in the memoirs, which he wrote of his life, to disguise the true cause of this repulse, by saying, that the People were for forcing him to stand for the Ædileship, because those who had that office were obliged to exhibit games, and they expected very magnificent ones from him, in effect of his correspondence with Bocchus. According to Plutarch, the truth is, he conceived that he should carry the suffrages irresistibly, by the mere recommendation of his name and merit. He was mistaken. The People would be solicited, and often even paid. Sylla, taught by experience, stood again after the delay of one year; and partly by popular behaviour, which he well knew how to employ, and partly by money, he obtained the Prætorship. Accordingly, in a quarrel which he had with Cæsar Strabo, a man of wit, praised by Cicero for his pleasantry and facetiousness, as he threatened him with using the power of his office: "Right," replied Cæsar, laughing, "it is your office indeed; for you bought it and paid for it."

For the rest, Sylla gratified the People in respect to the shews. He exhibited a combat of an hundred lions, which Bocchus had sent him from Africa, with people of the country accustomed to fight with those terrible animals. And as in this kind of games the danger increases the pleasure and admiration, it is observed, that Sylla was the first that made lions fight without chains; whereas till then precaution had been taken, prudently, no doubt, not to fight those beasts without their chains.

This year the poet Lucretius was born.

* Pighius and Freinshemius date Sylla's Prætorship in this year. Something Vell. Paterc. says, ii. 15, seems to make it a year later.

A. R. 659.
Ant. C.
93.

Plin. viii.
16. & Sen.
de brev.
vit. c. 13.

A. R. 660.
Ant. C.
92.

C. CLAUDIUS PULCHER.

M. PERPENNA.

Plut. *ibid.*

Sylla, after having passed the year of his Prætorship in Rome, according to custom, was sent into Cappadocia, to set Ariobarzanes upon the throne, who had been lately elected with the approbation of the Romans. These facts will be related elsewhere with more extent. Sylla succeeded in this without much difficulty, and settled Ariobarzanes in possession of Cappadocia.

Whilst he was near the Euphrates, he received an Ambassador from the King of the Parthians. Hitherto that nation had never had occasion to differ with the Romans: and it has been reckoned among the instances of Sylla's good fortune, that he was the first Roman to whom the Parthians applied, in order to treat of amity and alliance. In the interview he behaved with an haughtiness which seems not to have displeased at Rome, but however was not generally approved. Having caused three chairs to be set, he placed himself in that in the middle between King Ariobarzanes and Orabazus. That was the Ambassador's name, whom it cost his life at his return to his master, for having so ill sustained the honour of the nation.

At Rome the orator L. Crassus was Censor with Cn. Domitius Ahenobarbus. These Censors passed a decree against the Latin rhetoricians, who began to encrease in the city, whereas before there were none at Rome but Greek rhetoricians. The latter had in former times experienced the like treatment. But the utility of their instruction, and the taste of the publick, had supported them against the authority of the Magistrates. The Greek schools in consequence enjoyed entire liberty, when the Censors, of whom we are speaking, undertook to shut up the Latin, which were an innovation. Suetonius has preserved the substance of their decree, which I shall insert here,

Suet.
de Clar.
Rhet.

though it has already been repeated in the Ancient History. “ We have been informed, that there are persons, who, under the name of Latin rhetoricians, have set up a new form of studies and exercises, and that youth assemble in their schools, and pass whole days therein with little benefit. Our ancestors have instituted what it was proper for their children to learn, and to what schools they should go. These new establishments, contrary to the customs and usage of our ancestors, cannot be pleasing to us, and seem contrary to good order. Wherefore we think it incumbent on us to make known our opinion, as well to those who have opened these schools, as to such as frequent them, and to declare to them, that we disapprove of this innovation.”

A. R. 660.
Ant. C.
92.

This decree, though conceived, as it seems, in terms mild enough, however prohibited the Latin schools : and it is impossible not to be surprized to see the most eloquent man of his age proscribe an institution that seems so conducive to the progress of eloquence. For what could be more useful or wise, than early to form youth in writing a language they were to use during their whole lives ? And accordingly Crassus, in justifying himself to Cicero concerning this decree, does not condemn the thing itself : he only * taxes these new masters with incapacity ; “ who, says he, teach their disciples nothing but boldness, a dangerous quality even with knowledge, but much worse when joined with ignorance.”

Cicero perhaps puts his own opinion into Crassus's mouth. However it be, if the Latin rhetoricians were suspended by this severe decree, they soon after reinstated themselves : there were abundance of Greek and Latin schools of eloquence in Rome, and youth were accustomed to compose in both languages ; a very useful exercise, and perhaps indispensibly necessary for a nation who had received all their knowledge

* Hos magistros nihil intelligebam posse docere, nisi ut auderent : quod etiam cum bonis rebus conjunctum, per seipsum magnopere est fugiendum. De Orat. iii. 94.

A. R. 660. from the Greeks, and to which, in consequence, it was
 Ant. C. necessary on one side to keep up a commerce with its
 92. masters, to prevent falling again into ignorance; and
 on the other, to transfer all this foreign learning into
 their own language, that it might be of more general
 advantage.

It does not appear that the Censorship of Crassus and Domitius was either of great utility to the Commonwealth, or reflected much honour upon themselves. It passed almost entirely in quarrels and disputes between them, the source of which was their difference of character. Domitius was simple and rough; Crassus, on the contrary, gave into an elegance of living that came very near luxury, and scarce left him authority to condemn excesses, of which himself set the example.

Plin.
 xvii. 1.

His Colleague reproached him in particular with his house, which was one of the most magnificent of Rome: and he insisted principally upon the article of six trees, which Pliny calls * *Lotus*, that gave a very thick shade. Shade must either have been very dear, or money prodigiously plenty at Rome, as Domitius, according to the estimate of Valerius Maximus, who speaks the most moderately, makes the price of those trees amount to thirty † millions of sesterces, about seventeen thousand pounds sterling. The house of Crassus was also adorned with six pillars of the finest marble, which might justly be deemed a vicious luxury in the house of a private person, at a time when marble pillars were an ornament unknown even in publick buildings.

Val. Max.
 ix. 1.

Plin.
 xxxiii. 11.

Every thing else in his house was in the same taste. He had beds for the table inlaid with brass. He was particularly very curious in plate. Vases of silver were seen on his buffet, of which the fashion had been so costly, that he had bought them at the rate of six

* An Exotic, known to the curious. The French call it the *Micocoulier*.

† The text of Pliny says much more; but there may be an error in the number.

† thousand sesterces a pound. He had in particular two cups, made by Mentor, a famous artist, that cost him an hundred thousand sesterces (650 pounds sterling), an enormous sum, and which made the purchaser himself blush, as he never ventured to use what he had paid so dear for.

A. R. 66a.
Ant. C.
92.

I am almost ashamed to repeat what Macrobius says of the same Crassus, that one of the Murænae *, which he kept in his fish-pond, dying, he had the weakness to wear mourning for it. But it is not amiss to see from the like examples, how little the same men frequently are in their private conduct, who shine so much, and make so great a figure upon the theatre of the world.

Macrobius.
ii. 11.

Let us conclude all this with a reflexion from Pliny. “Of old, says he, the like excesses were much condemned. † In our days such complaints are ceased, being of no use since the total extinction of manners. We have seen that no prohibitions could put a stop to luxury, and it was thought more eligible to have no laws, than to make them only to be violated. Our descendants will make our apology, in shewing themselves still more vicious than we.”

From what I have just related, it results, that the reproaches of Domitius were but too well founded against Crassus. And Crassus, in consequence, only eluded them by pleasantries; the sole resource of a man of wit, who perceives he cannot defend himself.

The Knights had committed many acts of injustice since their presiding at trials. But none was more enormously atrocious than the condemnation of Rutilius. That man, the most virtuous of his times, and who deserved to be termed the model of probity, had incurred their hatred, as I have said already, by seconding the courageous zeal of Scævola, Proconsul

Cic. de Or.
i. 229.

† Six thousand sesterces are about thirty-seven pounds sterling. The Roman pound was but twelve ounces of Troy weight.

* The Lamprey, a fish much esteemed by the Romans.

† Nimirum ista omisere moribus victis: frustra que interdita quæ vetuerant cernentes, nullas potius quam irritas esse leges maluerunt. Sed & qui sequentur, meliores esse nos probabunt. PLIN. xxxvi. 3.

A. R. 660.
Ant. C.
92.
Cic. de
Or. i. 229
—230.
Liv. Epit.
Diod. ap.
Valef.

of Asia, in punishing the vexations of the publicans, with his whole power. The Knights desired to be revenged, and at the same time, by a distinguished example, to intimidate such magistrates as would not connive at their oppression in the provinces. Rutilius, in consequence, was himself accused of extortion. To this chief point of the accusation were added reproaches of debauch and excesses, directly the reverse of his known purity of manners. But could any sense of shame be expected from such an adversary as Apicius, the famous glutton, and the most ancient of those who have rendered that name equally odious and contemptible to all posterity by the phrenzy of that character? He is mentioned as having much contributed in causing Rutilius to be condemned. And Marius, who was born to be the enemy and persecutor of every kind of virtue, did not fail to act also against a man whose merit gave him offence, and who was besides the friend of Metellus.

Rutilius supported this storm with heroick constancy. He would neither put on mourning, as was the custom, nor humble himself before his judges. Perhaps he even carried his resolution too far. For he refused the assistance of eloquence. The sublime talents of Antonius and Crassus were his reason for excluding them. He would not make use of their offices. Cotta was however admitted to plead * part of his cause, though he made a great figure amongst the young orators. But he was his nephew. For the rest he took his defence upon himself, and in a manner very little adapted to conciliate the favour of the Judges; lamenting much more the fate of the Commonwealth than his own. Scævola also strongly maintained the innocence of his friend and former Lieutenant, and spoke in his manner with perspicuity, elegance, and exactness, but without force. Rutilius was condemned.

Antonius, who was extremely afflicted to see so great and worthy a man condemned unjustly, com-

* The reader, I suppose, remembers that at Rome the same cause was frequently divided amongst several orators.

plains bitterly in Cicero of the stoical severity with which he determined to confine himself to truth, without permitting eloquence to sustain so good a cause. “* If you had spoken upon this affair, says he to Crassus, and had been permitted to treat it in your manner, and not in that of philosophers, I am convinced that how wicked soever the judges might be, though pernicious citizens, though worthy of the greatest punishment, the force and vehemence of your discourse would have triumphed over their barbarity, and eradicated it out of their hearts. But we lost so excellent a man, because his cause was pleaded as if we lived in Plato’s chimerical republick.”

Rutilius shewed the same courage after his condemnation as he had in danger. Though his sentence was only to make reparation for the pretended damages laid to his charge, he quitted Rome, as a den of thieves, and retired into the province which had been the witness of his virtues, that is, to Asia, where he first settled at Mitylene, and then at Smyrna. His estate was seized and sold; and was a proof of his innocence: for it did not amount to the sum he had been condemned to pay; and his papers sufficiently attested the just and legal origin of all he possessed. Dio.

It is easy to judge that his glory did not suffer from so unjust a condemnation. He even found in the liberality of his friends, and of those to whom he had done services, an abundant amends for the loss of his fortune. Scævola forced him to accept considerable presents. And when he approached Asia, all the different states and people of that province vied with each other in expressing not only their affection and respect, but an actual gratitude, which the state of his fortune would not permit him to refuse: so that

* Quod si tu tunc, Crasse, dixisses, & si tibi pro P. Rutilio non philosophorum more, sed tuo, licuisset dicere, quamvis scelerati illi fuissent, sicuti fuerunt, pestiferi cives supplicioque digni, tamen omnem eorum importunitatem ex intimis mentibus evellisset vis orationis tuæ. Nunc talis, vir amissus est, dum causa ita dicitur, ut si in illa commentitia Platonis civitate res ageretur. De Orat. i. 230,

A. R. 660. he became richer when banished into Asia, than he
 Ant. C. had been whilst of Consular dignity at Rome.
 92.

He renounced his country for ever: but without departing from the sentiments of a good citizen. And when a person said to him by way of consolation, that there would soon be a civil war, and then exiles would be reinstated: “ * What have I done to you,” replied he, “ that you should desire a return more unhappy for me than the necessity of departing has been? I had rather see my country blush for my banishment than mourn my return.” What he said at this time he thought. For Sylla, when victorious over all his enemies, having invited him to return to Rome, he chose to remain in exile. He no doubt desired to spare himself the mournful sight of the calamities his country suffered. Perhaps also, in taking the advantage of Sylla’s victory, he was afraid of seeming to approve the conduct of a man whose cause seemed good to him, but whose proceedings could not fail to give him horror.

It is certain at least, that this manner of thinking highly agreed with the strict probity always professed by Rutilius, and his attention not only to avoid committing injustice himself, but not to share in that of others. Valerius Maximus relates, that † one of his friends having one day asked an unjust thing of him, and taking so much offence on his refusal, as to say to him with indignation, “ What signifies your friendship to me, if you don’t do what I desire of you?” Rutilius retorted in the same tone, “ And what is yours to me, if I can deserve it only by vile actions.”

He had always loved and cultivated liberal knowledge. He had studied philosophy under the cele-

* Quid tibi, inquit, mali feci, ut mihi pejorem reditum quàm exitum optares? Malo ut patria exilio meo erubescat, quàm reditu morereat. SEN. de Benef. vi. 37.

† Quum amici cujusdam injustæ rogationi resisteret, atque is per summam indignationem dixisset, “ Quid ergo mihi opus est amicitia tuâ, si quod rego non facis?” respondit, “ Imo quid mihi tuâ, si propter te aliquid inhonestè facturus sum?”

brated stoick Panætius. He was very learned in the law. He had not neglected even eloquence; but it was a kind of eloquence that suited his austere turn of mind, and which could make impression rather by the orator's probity, than insinuate by the graces of discourse. He had however much employment at the bar, and pleaded often. He had also composed a Roman History in Greek, besides his own life, which he had probably wrote in Latin. This fund and taste of erudition and literature, in some measure universal, was no doubt a great resource to him in his banishment.

A. R. 660.
Ant. C.
92.
Cic. Brut.
113, 114.
Athen.
l. iv.
Liv.
xxxix. 12.

We shall again have occasion to speak of Rutilius, on account of the massacre of the Romans in Asia, executed by order of Mithridates.

T H E

ROMAN HISTORY.

BOOK THE THIRTY-FIRST.

THIS book contains the space of five years, from the 661st year of Rome to the beginning of the 666th. Its principal subjects are, the war with the allies, and the civil war between Marius and Sylla, to the death of the former.

S E C T. I.

War with the allies. Its nature, origin, and duration. Ardent desire of the allies to have the freedom of Rome. The Senators, to recover the administration of justice, support themselves with the Tribune Drusus. That Tribune labours to gain the People by laws favourable to the multitude; and the allies, by the promise of making them citizens. The Consul Philippus opposes the laws of Drusus. Cæpio, another opponent of Drusus. Violence of Drusus against Cæpio and Philippus. The laws pass. A new law of Drusus to divide the administration of justice between the Senators and Knights. Perplexity of Drusus, who cannot keep his promise with the allies. Inflexible constancy of Cato whilst only an infant. Proceedings of the allies. Saying of Philippus injurious

injurious to the Senate. Contest on that head between Crassus and Philippus. Death of Crassus. Cicero's reflexion on his death. Death of Drusus. His character. All his laws are annulled. Law passed by Varius for informing against those who had favoured the allies. Cotta accused, goes into voluntary banishment. Scaurus extricates himself out of danger by his constancy and haughtiness. Varius himself, condemned by his own law, perishes miserably. The allies prepare for a revolt. They form themselves into a republic. Massacre at Asculum. Open revolt of the states of Italy. Embassy of the allies to the Romans, before they enter into the war. They have the advantage at first. Unjust suspicions of the Consul Rutilius against many of the Nobility. The execution of the law Varia suspended. Marius advises the Consul to decline a battle ineffectually. Rutilius is defeated and killed. Grief and consternation of Rome. Cæpio, deceived by Pompeius, perishes in an ambuscade with a great part of his army. Victory of the Consul Julius, which makes the Romans resume the habits of peace. Victory began by Marius, and compleated by Sylla. Marius declines a battle. He retires with little glory. Sertorius signalizes himself. He loses an eye by a wound in battle. His sentiments on that occasion. Two slaves save their mistress at the storming of Grumentum. Victory of Cn. Pompeius, in consequence of which the magistrates of Rome resume the ornaments of their dignities. Freedom of Rome granted to such of the allies as had continued faithful. Freedmen admitted into the land-service. The Consul Pompeius presses the siege of Asculum. He beats the Marsi, and subjects other neighbouring people. A slave of Vettius kills his master, and then himself. The Consul Porcius is killed in a battle. Young Marius is suspected of being the author of his death. Sylla destroys Stabiae, and besieges Pompeii. He takes upon him the command of Postumius's army, and does not revenge the death of that General murdered by his soldiers. He destroys an army of the Samnites commanded by Cluentius. He is honoured with a Corona obsidionalis. He con-
quers

ORIGIN OF THE WAR WITH THE ALLIES.

quers the Hirpini. He enters Samnium, and gains several advantages there. He returns to Rome to stand for the Consulship. He glories in the title of Fortunate [Fælix.] Inconsistency of his character. The Marsi lay down their arms. General council of the league transferred to Esernia. Judacilius, despairing to save his country Asculum, poisons himself. Asculum taken by Cn. Pompeius. Triumph of Cn. Pompeius, in which Veniidius is led captive. Pompædus enters Bovianum in triumph, and is defeated and killed. Embassy of the allies to Mithridates to no purpose. The war of the allies subsists only in a languid manner. Eight new Tribes formed by the new citizens. Censors. Asellio, Prætor of the city, assassinated in the Forum, by the faction of the rich, who lend money at usury. Law Plautia, de vi publica. By another law of the same Tribune, the Senators are restored to a share in the administration of justice. Sylla is elected Consul. Debate on that subject between him and C. Cæsar.

ORIGIN of the WAR with the ALLIES.

WE are now come to a war, which the Romans called * the War of the Allies; to disguise, says Florus, under a softer name what it had of odious in it: for in reality it was a civil war. The states of Italy, against which Rome had this war to sustain, had been united with the Romans during so many ages, and by ties so often and so variously multiplied, that if they were not citizens that took up arms against citizens, they were friends against friends, and relations against relations; so that this war included all the horrors of civil wars.

The origin of it, on one side, was the ardent, and, in my opinion, the entirely legitimate desire of the allies, to become citizens of a Commonwealth of

* Sociale bellum vocetur licet, ut extenuemus invidiam: si verum tamen volumus, illud civile bellum fuit. FLOR. iii. 18.

which

which they constituted the strength and support; and on the other, the haughtiness of the Romans, who could not resolve to set states upon a level with themselves, whom * they were accustomed to consider as subjects, honoured with the name of allies.

I say, the pretensions of the Italians seem legitimate. For it is evident, that it was by their aid the Romans had conquered all the provinces that composed their empire. There was no Roman army in which the Latines and allies did not form the greater half; always supplying an equal number of infantry, and twice as many horse. Vell.ii.15.

On the other side, if I impute the refusal of the Romans to pride and haughtiness, it is not because I pretend, that good policy could not give solid reasons for opposing the mixture of such multitudes of new citizens. But this is too complex a problem for me to attempt to solve. I therefore shall confine myself to facts. It is certain, that the Romans were very proud of their preheminences. It is also certain, that they were obliged at last to grant those states the freedom they so tenaciously refused at first. And had it not been better to have given in at first with a good grace, to what they were reduced to do by necessity after so much bloodshed?

For this war was very bloody. The states of Italy, Vell.ii.15. according to Velleius, lost three hundred thousand fighting men in it. A very great number of Romans also perished in it in repeated defeats. And it is no wonder they were so often defeated. They could not have enemies that were more capable of making head against them. Both sides had the same arms, the same discipline, exercises, and knowledge of all that relates to the art of war: and though, during a great length of time, no Italian had commanded in chief, there were however Generals amongst them.

* The condition of the states, which the Romans treated as allies, is well expressed in a passage of Livy, speaking of the Achæans. *Specie æquum est fœdus apud Achæos, re precaria libertas: apud Romanos etiam imperium est.* Liv. xxxix. 37.

ORIGIN OF THE WAR WITH THE ALLIES.

The duration of the War with the allies was very long, to take it in all its extent. The greatest heat of it scarce subsisted above two years : but it continued much longer, though with less ardour ; it had a share also in the civil wars between Marius and Sylla ; and it was not entirely terminated till by the latter, when, after having made peace with Mithridates, he returned to Italy, and by his victories put an end to all the divisions which had torn it during so many years.

A war of such importance, and abounding with so many events, should seem to supply our history with rich materials. But such of the ancients as had related it with care, are lost ; and nothing remains but such confused and imperfect abridgments, that I can promise the reader only a general idea of things, with very little circumstantial account of particular facts. I proceed to our subject.

The allies of Rome had in all times ardently desired to be admitted citizens of it. The war with the Latines, above two hundred and forty years before this I am going to relate, had no other cause. The * Campanians, after the unfortunate battle of Cannæ, offered the Romans their aid upon the same condition ; and only revolted because it was refused them. And indeed the Romans, during a great length of time, had not followed the policy so much praised in their founder, who often transformed such into citizens of Rome, as the same day had been her enemies. As soon as they began to form a considerable state, they were very reserved in this favour ; and their reserve in that point increased in proportion to their power ; and in consequence as the freedom of a Roman citizen became a more important and exalted title. If they conferred this grace, it was almost only upon small neighbouring cities, and never upon whole states. Besides which, they frequently divided the condition

* Liv. xxxvi. 6. doubts this fact. But Cicero positively affirms it as certain, in his second oration against Rullus, n. 95.

of Roman citizens, from the exercise and functions of it, and bestowed the name without granting the right of voting. Accordingly only a few private persons of the Italians attained that so much desired advantage, and that by stratagem and address. But the Roman magistrates were upon their guard against such frauds, and sent home these strangers to their own cities, who were for swarming at Rome.

The Gracchi revived in the hearts of the allies the hope of obtaining the freedom of Rome by a general incorporation. Tiberius had conceived thoughts of it; but was prevented by death from carrying the thing very far. His idea was followed, and advanced farther by Fulvius Flaccus: and the revolt of Fre-gellæ, in which Caius was so much accused of sharing, was a signal on which all Italy would have been in motion, if a sudden and severe revenge had not put a stop to that conspiracy in its birth. At length the mine was sprung in the Tribuneship of Drusus, as I am going to relate.

L. MARCIUS PHILIPPUS.

SEX. JULIUS CÆSAR.

A. R. 661.
Ant. C.
91.

The condemnation of Rutilius had made the Se-
nators more sensible than ever of the necessity of de-
livering themselves from the tyranny of the Knights
in trying causes, and supplied them at the same time
with the justest motive for divesting that order of a
power, which they abused in so criminal a manner.
To succeed in that design, they called in the aid of
M. Livius Drusus, then Tribune, a young man,
whom his birth, courage, and talents, made capable
of the greatest undertakings.

He was the son of that Drusus who ruined the af-
fairs of C. Gracchus, by behaving in the name of the
Senate with more popularity than him. The son ap-
pears to have followed the same system of conduct.
His plan was to serve the Senate, and conciliate the
favour of the People. This he endeavoured by pro-
posing

Flor. iii.
17.
Liv. Epit.
lxxi.

A. R. 661.
Ant. C.
94.

posing Agrarian laws, the establishment of colonies, and distributions of corn; the whole with such profusion, that he said himself, “ * he had not left any one room to make new largeesses, unless it was of air or dirt.” And he declared that he passed all these laws so much in favour of the people in concert with, and by the authority of, the Senate.

Though the allies did not give their voices in the affairs of the government of Rome, they had however great weight in them by their influence and ties with all the citizens great and small. Drusus was desirous also to attach them to the Senate, and promised that they should at length obtain the freedom of the city, if they would assist him in passing his laws, and made the Senate the guarantees of his engagement.

The Knights strongly opposed the laws of Drusus; and that is not strange, as they were intended against themselves. But even in the Senate he had two formidable adversaries, the Consul Philippus, and Servilius Cæpio, a young man of his own age, and formerly his friend.

Philippus, besides the advantages of birth, riches, great alliances, and the dignity and authority of his office, was also capable by the talent of eloquence to give weight to the party he espoused. After Crassus and Antonius, who disputed the superiority as orators, as has been observed more than once, Philippus took place, but at a great distance. “ Though there was no one, says Cicero, who could take place between those two great orators and him, I can † neither call him second, nor third; in like manner as in a chariot-race, I should scarce reckon that second or third, which should hardly have quitted the barrier, when

• The expression is not unhappy in Latin, on account of the similar sounds of the words air and dirt. “ Nihil se ad largitionem ulli reliquisset, nisi quis aut cœnum dividere vellet, aut cœlum.” FLOR.

* Nec enim in quadrigis eum secundum numeraverim aut tertium, qui vix à carceribus exierit, quum palmam jam primus acceperit, nec in oratoribus, qui tantum absit à primo, vix ut in eodem curriculo esse videatur. CIC. BRUTO, n. 173.

the first had already received the prize." But to consider Philippus in himself, and independently from all comparison, he could not be denied the title and merit of an orator. He had a bold and free tour of thought, with abundance of salt and pleasantry. He wanted neither invention to produce thoughts, nor facility of elocution to express them. With all this, he was well versed in the sciences of the Greeks; and when he was warm in altercations, he had an edge, a sting, that always is highly pleasing to an audience.

I cannot tell, for want of authorities, what motive induced Philippus, then actually Consul, to oppose Drusus and the Senate. When he was Tribune he had formerly proposed an Agrarian law, and Cicero quotes a seditious passage in a discourse he then made. He said, "that there were not two thousand men in the city who had wherewithal to live." The consequences of such an expression from a Tribune before a multitude who pretended to the rights of sovereignty, are sufficiently evident. For the rest, however, the conduct of Philippus in his Tribuneship had been moderate enough, and he had suffered his law to be rejected with no great difficulty. Was he in consequence persuaded that Agrarian laws were always pernicious, and did he for that reason oppose those proposed by Drusus? Or had he any personal grudge to that young Tribune, or discontent in respect to the Senate? This we do not know. But it is certain, that he acted with great warmth, and even passion.

As to Cæpio, there was a young man's quarrel between him and Drusus. They had once been such great friends as to exchange wives with each other; a practice contrary to decency and good manners, but authorized by the custom of the Romans. Their difference was upon a puerile occasion, having piqued themselves upon outbidding each other at a sale for a ring, which both were for having. From so slight a subject arose an irreconcilable enmity, which they carried to the most frantick excesses, and thereby oc-

A. R. 661.
Ant. C.
91.

caused the greatest calamities to the Commonwealth. Both had ambition, boldness, capacity for business, and a turbulent, restless disposition: and their emulation being changed into envy and hatred, Drusus's attachment to the interests of the Senate was a sufficient reason to determine Cæpio to declare for the Knights.

Auctor. de
vir. Illustr.
Val. Max.
ix. 5.

The contests between Drusus on one side, and Cæpio and Philippus on the other, were very violent. They were carried so far, that Drusus once threatened Cæpio to have him thrown from the Tarpeian rock. And as to Philippus, as that Consul opposed the laws of Drusus with his utmost power, and would not suffer them to be brought into deliberation, Drusus caused him to be carried to prison, and treated so outrageously, that the blood gushed out at his nose in abundance. And this the Tribune treated only as a jest, saying, that it was not blood, but the gravy of thrushes: because Philippus was thought to love good cheer and nice morsels.

After so many disputes the laws however could not be prevented from passing. On the day fixed for their being brought on, so prodigious a concourse of people came from all parts to Rome, that one would have thought the city had been besieged by an army of the enemy. That multitude forced through all opposition: and the colonies, distributions of lands, and largesses of corn, were all decreed conformably to the views of Drusus. It was probably at this time that the Tribune, in order to enable the Commonwealth to support so many expences, altered the coin, and mixed an eighth of alloy with the silver.

These laws thus received were only preliminary to the designs of Drusus. The question was to restore the administration of justice to the Senate. This was the great point he had in view; and he had been lately encouraged in it by Scaurus, who having been accused by Cæpio, had defended himself with his usual constancy, and had openly exhorted Drusus to introduce a necessary change in trials, of which the

Commonwealth stood in extreme need. The Tribune however did not undertake wholly to deprive the Knights of the administration of justice ; but to divide it between the two orders. Appian pretends, that his plan was to associate and incorporate three hundred Knights with the Senate : so that the whole body, which was three hundred, might be double that number. Out of these six hundred Senators, as well old as new, the Tribunals of the judges were to be formed. But I am obliged to confess, that I lay no great stress upon Appian, a writer of little judgment, and besides very remote from the time in question. The epitome of Livy speaks only of a partition of the judicature between the Senators and the Knights : and * Cicero's authority, that can admit of no exception in this point, determines my opinion in respect to it.

A. R. 661.
Ant. C.
91.

Drusus accordingly passed a new law, to ordain that the body of the judges should for the future be half Senators and half Knights. To this law he added an article, by which it was made lawful to prosecute any judge that should have committed any abuse or prevarication in the exercise of his office. For hitherto, through a singularity entirely amazing, and for which I do not undertake to account, the judges chosen out of the † order of the Knights were not subject to any molestation for prevarication in trials.

This law exasperated the Knights exceedingly ; not only because it deprived them of half the authority they possessed, but by the punishment to which it subjected abuses of it, which were but too common with them. They were not afraid to call those penalties an intolerable yoke, to which they were not accustomed, which they had never borne, and which

* The complaints of the Knights repeated by Cicero pro Cluent. 153, 154, evidently imply that they were not made Senators. See also pro Rabir. Post. n. 16, 17.

† The circumstance mentioned here is certain from Cic. pro Cluent. 145—154.

A. R. 661. they would never suffer to be imposed on them. But
 Ant. C. all the world were united against them in favour of
 91. the law. The Senators, though they were desirous
 to recover their ancient right in the whole, thought it
 some advantage to be reinstated at least in part of it.
 The people were gained by the largesses that had
 lately been granted them. The allies, though not
 satisfied with these colonies, and distributions of lands,
 by which they were to lose part of their own posses-
 sions, were however drawn in by the hope of the free-
 dom of Rome. Add to this, the Tribune's haughti-
 ness, who had recourse to the most flagrant violence
 when it served his purposes. The law in consequence
 was passed, and had the authority of the suffrages of
 the Tribes.

Drusus had hitherto succeeded in all he had under-
 taken. But his success itself was followed by the
 most affecting perplexity. For the allies, who had
 served him so well, did not fail to claim his promise :
 and he found himself under an impossibility to per-
 form it. It is not to be doubted, but a proposal to
 adopt so prodigious a multitude of citizens, would
 displease a very great number of the Romans. Be-
 sides, the credit of Drusus declined every day. The
 Senate, which by his means had obtained only a part
 of what they desired, supported him but coolly. We
 have related, in the history of the Gracchi, the im-
 mense difficulties and quarrels occasioned by new di-
 stributions of lands. Drusus in consequence had dis-
 gusted almost the whole city by his laws : and those
 he had obliged, were but indifferently satisfied with
 him. All he could do, was to temporize, and en-
 deavour to amuse the allies with good words.

Plut. in
 Cat.

It was during these negotiations that Cato, then
 an infant, gave an instance, on the occasion of the
 affair of which I am speaking, of that inflexibility of
 mind that distinguished his character during his whole
 life. As he had lost his parents very early, he was
 brought up in the house of Drusus, his uncle by the
 mother's side. There it was, that Pompeius Silo,
 one

one of the principal persons of the allies, happened, by way of joke, to ask young Cato to recommend his suit to his uncle. The child keeping silence, expressed by his looks and an air of dislike in his countenance, that he would not do what he was asked. Pompeius insisted without being able to prevail in the least. At length he took up the child by the middle, carried him to the window, and holding him out of it, threatened to let him drop, if he persisted in his refusal. But fear had no more effect than entreaty. Pompeius, on setting him down in the chamber, cried out, "What an happiness it is for Italy, that thou art but a child! For were you at age, we should not have a single vote."

A. R. 661.
Ant. C.
91.

The allies did not confine themselves long to the method of negotiation. They soon conceived thoughts of doing themselves justice by arms, and even the horrid design of massacring the Consuls upon the day of the *Feræ Latine*, a solemn festival, celebrated with a great concourse of the Romans and people of Latium on mount Albinus. But Drusus had the generosity to apprise Philippus of it, who took precautions against a surprize. Another danger, not less great, was prevented by a lucky circumstance. Pompeius had drawn together ten thousand men, and led them to Rome with swords concealed under their cloaths, in the resolution to besiege the Senate, and to force them to grant the allies the freedom of the city. Domitius having met this troop upon their way, represented to Pompeius that he was taking a wrong method; and that the Senate, who were well disposed in favour of the states of Italy, could grant every thing to good behaviour, but nothing to force. Both the leader and his followers suffered themselves to be persuaded, and separated. But all this only suspended the evil, without remedying it. On the one side the allies abated nothing of their pretensions: on the other, the Romans took no measures to give them satisfaction. All Italy was discontented;

Flor. iii.
18.

Auctor. de
vir. illust.

Diod. ap.
Vales.

A. R. 661. and nothing passed but secret assemblies, conspira-
 Ant. C. cies, plots; and every thing tended to a general in-
 91. surrection.

Cic. de " At Rome the disposition of people was scarce more
 Or. iii. 2. pacifick. The division subsisted still between the
 Consul Philippus and the Senate: and that Magistrate,
 in an assembly of the People, went so far as to say,
 " that another council was necessary to him for the
 administration of the government. That with the
 Senate, such as it was, he could not act for the good
 of the State." On the occasion of this invective, and
 words so injurious to the Senate, an assembly of that
 body was held on the 13th of September, called by
 Drusus. The Tribune complained warmly in it of
 Philippus, and proposed deliberating on the insult
 done to the Senate by the Consul, who was its chief
 and president.

The orator Crassus in giving his opinion signalized
 his zeal and courage; and never did eloquence shine
 out more gloriously than on this occasion, which was
 the last of his life. " He * deplored the sad fate of
 the Senate, which ought to find a guardian and pa-
 rent, careful to protect it, in the Consul, and had
 only in him a virulent enemy, to divest it of its ho-
 nour and dignity. He accused Philippus of being
 the author of the present calamities; and declared,
 he did not wonder that he rejected the counsels of the
 Senate, as he was solely intent upon ruining and de-
 stroying the Commonwealth."

So vehement a discourse gave birth to the most
 warm contest. Philippus, who did not want elo-
 quence, fire, and spirit, especially when himself was
 attacked, insisted strongly upon the rights of his of-
 fice. He pretended that Crassus had been wanting
 in respect for him: and immediately laid a fine upon

* Deploravit casum atque orbitatem Senatûs: cujus Ordinis à Con-
 sule, qui quasi parens bonus aut tutor fidelis esse deberet, tanquam ab
 aliquo nefario prædone dirigeretur, patrimonium dignitatis. Neque
 verò esse mirandum, si, quum suis consiliis rempublicam profigasset,
 consilium Senatûs à republica repudiaret.

him, requiring at the same time, according to an established custom at Rome, security for the payment of the money.

A. R. 661.
Ant. C.
91.

This proceeding, far from intimidating Crassus, served only to animate him the more. He affirmed, that he ought not to consider Philippus as Consul, as he did not consider himself as a Senator. "How *," added he, " whilst you behave in respect to the reputation and honour of the whole order, as you would do of a mean deposit abandoned to your discretion, and tear it to pieces in the sight of the Roman People, do you imagine you can terrify me by the frivolous security you require of me? No, if you would silence Crassus, it is not to be done by laying a fine upon him; you must pluck out this tongue: and even were you to do that, the liberty that would still subsist in my countenance, would suffice to reproach you with the tyranny you exercise over us." He concluded, that it was necessary for the Senate to clear itself of the reproach made it by the Consul; and that it should shew the Roman People, that the Senate had never failed either in wisdom or zeal for the service of the Commonwealth. And this opinion was followed by all the Senators.

This was the † last, and at the same time the most shining triumph, of that divine man's eloquence, as Cicero calls him. He had heated himself extremely in speaking, and already felt a pain in his side. This did not prevent him from staying till the decree was drawn up conformably to his opinion. He caught cold, and was seized with a shivering; and returning home with a fever upon him, died seven days after of a pleurisy.

* An tu, quum omnem auctoritatem universi Ordinis pro pignore putares, eamque in conspectu populi Romani concideres; me his pignoribus existimas posse terreri? Non tibi illa sunt cædenda, si Crassum vis coercere: hæc tibi est excidenda lingua: quæ vel evulsâ spiritu ipso libidinem tuam libertas mea refutabit.

† Illa tanquam cycnea fuit divini hominis vox & oratio.

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91.

Cicero, from whom we have this whole account makes the most moving reflections upon this death of Crassus, which deprived him of the fruits he had in view in all the labours of his life. “ Delusive * hopes of man! cried he: Oh frailty, oh inconstancy of fortune! Oh vanity of all our views and efforts, which are either cut short in the midst of their course, or are unhappily shipwrecked before we can descry the port! For hitherto the life of Crassus had been entirely employed either in the cares that attend the attainment of offices, or the fatigues of the bar: and the glory he had acquired was rather that of a man of wit, and one useful by his talents to many particulars, than that of a Statesman and great Senator. And the first year that terminated to him the career of honours by the Censorship he had lately exercised; that year which opened to him, by the consent of all, the entrance to the highest rank and consideration in the Commonwealth, is that which frustrates all his hopes, and all the views of his life by a sudden death.”

Such examples might indeed cure men of ambition, if ambition were an evil that could be cured. But Cicero, who makes this fine reflexion, applied it little to himself. And generally speaking, what happens to others, is but of weak instruction to ourselves. In morals, still more than in any other respect, “ the follies of those who go before us are lost to us,” as one of the most illustrious and most ingenious writers of our times has agreeably said. Happy for us if we improve from our own experience!

The death of Drusus soon followed that of Crassus, and was undoubtedly more deplorable. All Italy

* O fallacem hominum spem, fragilemque fortunam, & inanes nostras contentiones! quæ in medio spatio sæpe franguntur & corraunt; & ante in ipso cursu obruuntur, quam portum conspiceretur. Nam quamdiu Crassi fuit ambitionis labore vita districta, tamdiu privatis magis officiis & ingenii laude floruit, quam fructu amplitudinis aut reipublicæ dignitate. Qui autem ei annus primus ab honorum perfuntione aditum, omnium concessu, ad summam auctoritatem dabat, is ejus omnem spem atque omnia vitæ consilia morte pervertit.

was in a flame: and the alarm the Romans conceived from it, turned into hatred against Drusus, to whom the cause of these dangerous commotions were ascribed. The indignation against the Tribune was universal: and even the Senate, for whom he had contended so much, no longer looked upon him in any other light, than as the author of the revolt of the states of Italy.

Drusus was in despair: and as he happened about this time suddenly to swoon away, and to lose his senses in the midst of an assembly of the people, it was said, that he had occasioned that accident himself, by drinking goat's blood, with design to make it believed he was poisoned; and thereby to render his adversaries odious, and Cæpio in particular. It is more probable that it was a fit of the falling sickness, a disease to which he had been subject in his earliest youth, and of which he had been cured by the use of hellebore. However it were, all Italy were much affected with this event, and cities made vows for the recovery of his health.

His enemies were only the more inveterate to destroy him. They conspired against his life; and, notwithstanding his precaution of keeping company but seldom, rendering access to his person more difficult, and appearing less in publick, he could not escape them. One evening, in returning home, surrounded by a great number of followers, he received a stab with a knife, of which he died soon after. The assassin hid himself in the croud, and was never discovered. Philippus, Cæpio, and the Tribune Varus, were suspected; which last will soon appear upon the stage. Cicero positively accuses him. No enquiry was made concerning this murder: which proves that the authors of it were men of power, and capable by their credit of putting a stop to the course of justice.

Thus perished M. Drusus, in the flower of his age, the victim of a restless ambition, which, before it drew a violent death upon him, had tormented him during his

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Ant. C.
91.

Plin.
xxviii. 9.
Auct. de
vir. Illust.

Appian.

Auct. de
vir. Illust.

Cic. de
Nat. Deor.
iii. 81.

Senec. de
Brevit.
vit. vi.

A. R. 661. his whole life. This we may well believe. He had
 Ant. C. 91. complained himself, at a time of grief, occasioned by
 the terrible difficulties in which he was involved,
 “ that * he was the only one, who when but a boy,
 had never had an holiday.” And indeed, whilst he
 wore the robe of a boy, he had recommended ac-
 cused persons to their judges, and had carried several
 affairs by his sollicitations. “ What † could be ex-
 pected, says Seneca, from so early an ambition, but
 what actually happened; great calamities both to the
 Commonwealth and to himself in particular.”

Vell. ii. He had great talents, but still greater presumption,
 14. which he retained to the last moment of his life.
 When he was upon the point of expiring, he said to
 those about him, “ Friends, when will the Com-
 “ monwealth find a citizen to supply my place?”

Val. Max. ix. 5. With these sentiments there is no room to wonder
 at the haughtiness of his behaviour in respect to his
 adversaries. The Senate itself had experienced it:
 and one day, when that august body sent for him:
 “ Why,” said he, “ does not the Senate rather come
 “ and assemble in the hall Hostilia, near the Tribunal
 “ for Harangues?” And the Senate obeyed the im-
 perious Tribune’s order, though he treated their’s as
 nothing.

There are, however, in the life of Drusus some
 actions and circumstances truly laudable. The ad-
 vice which he caused to be given to Philippus of the
 conspiracy of the Latines against him, is a proof of
 his generosity; and we cannot deny our admiration
 to the noble confidence that appears in an expression
 of his, which Velleius has preserved. He caused an
 house to be built on Mount Palatinus, which after-
 wards belonged to Cicero: and as his architect pro-
 mised him to lay it out in such a manner that none of

* Uni sibi, ne puero quidem ferias contigisse.

† Quo non irrumperet tam immatura ambitio? Scires in malum in-
 gens & privatum & publicum evasuram illam tam præcoquem
 audaciam.

the neighbours should overlook him : “ * So far from
 “ that,” says Drusus, “ you will please me best, if
 “ you employ your whole art in such a mannner,
 “ that every body may see what is done in my
 “ house.”

A. R. 661.
 Ant. C.
 91.

From all these facts it results, that Drusus left behind him at least an equivocal reputation. And I know no writer who praises him without exception, except Velleius, a mean flatterer, who thereby made his abject court to Livia and Tiberius, descended from that Tribune.

Cic. pro
 Domo.
 n. 42.

The death of Drusus was an entire triumph for his enemies : and the Consul Philippus caused all his laws to be cancelled by a single decree of the Senate, as passed contrary to the auspices, and consequently void of course. Thus all things resumed their former state, and the Knights remained in sole possession of the judicature.

They resolved to take the advantage of the occasion for crushing their adversaries. They had a Tribune ready to serve them in all their views. This was that Q. Varius, who had lately ridded them of Drusus, a man of vast designs, and disagreeable in his whole person ; however, he had credit with the People from the talent of speaking, which he possessed in no vulgar degree. It was said, that he would have found it difficult to prove himself a Roman citizen : however, he presumed to set up for importance in Rome ; and that Mongrel, for so he was surnamed, rendered himself formidable to the most illustrious persons of the city and Senate.

Hybrida.

He proposed a law † for enquiring into those whose evil practices had forced the allies to take arms. This accusation regarded the principal Senators, who had been in strict union with Drusus, and by him with the allies. How far those ties had extended, it is impos-

* Tu vero, si quid in te artis est, ita compone domum meam, ut quidquid agam ab omnibus perspicui possit.

† Quorum dolo malo Socii ad arma ire coacti essent. VAL. MAX. viii. 6.

A. R. 661. sible for us to conjecture through the thick veil of
 Ant. C. 91. obscurity that covers the times of which we are speaking. But there is no room to doubt, that those illustrious Romans had at least no share in a revolt, that brought Rome into one of the greatest dangers she had ever experienced.

App. Civ. 1. 1. The Senate seeing themselves attacked in this manner, spared no efforts to prevent the law from passing. Even some of the Tribunes opposed it in form. But the Knights made themselves masters of the Forum and Tribunal sword in hand, and caused the law to pass by the suffrages of the People.

Those who had passed the law *Varia* by such violent methods, were at the same time the judges who were to put it in execution. Consequently it is easy to foresee what justice the accused had to expect. The number of them was very great: and whilst the war, which broke out soon after, caused all the Tribunals to be shut up, that which took cognizance of this kind of crime, was the only one privileged to act.

Cotta is the best known of all those who sunk under this storm. The nephew of Rutilius could not escape the revenge of the Knights. We have already observed that he was an orator, but more esteemed for the clearness and solidity of his discourse, than its force and vehemence. He however rose upon himself on pleading his own cause in such unhappy circumstances. He did not endeavour to move his judges, from whom he had nothing to hope: but imitating the constancy of his uncle, he reproached them with injustice; he spoke with great dignity of the integrity of his conduct, of his views for the public good, and of his zeal for his country; and after having rather insulted judges sold to iniquity, than made his apology, he went into voluntary banishment. This was the second disgrace the cabal had drawn upon him, which not long before had made him lose the Tribuneship. Rutilia, his mother, accompanied him in his banishment, and did not return to Rome till he was recalled some years after by Sylla; and he
 rose

rose to the principal dignities, and the reputation of one of the greatest orators of Rome.

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Ant. C.

Scaurus was also cited before the judges under the same pretext, but came off more happily. Cæpio, who had accused him long before of extortion, was again his accuser on this occasion; and engaged the Tribune, Q. Varius, to summons that venerable old man before the assembly of the People, and to inveigh against him. Scaurus, though sinking under the weight of years, and but lately recovered of a disease, notwithstanding the instances of all his friends, who were for dissuading him from exposing himself, in the condition he was in, to the fury of the multitude, appeared on the day fixed. He heard the Tribune's whole declamation patiently: and when he was called upon to answer, he only said these few words: "Q. Varius, a Spaniard by birth, accuses
" M. Scaurus, Prince of the Senate, of having made
" the allies take arms. M. Scaurus, Prince of the
" Senate, denies it. There are no witnesses. Which
" of the two, Romans, will you believe?" This defence, so short, but so full of dignity, made an impression upon the people, disconcerted the Tribune, and frustrated all his and Cæpio's efforts. The affair went no farther.

91.
Ascon. in
Orat. pro
M. Scauro.

Marcus Antonius did not extricate himself out of danger at so cheap a rate. On being accused, he exerted the whole force of his eloquence, and employed for himself all those arts he had used so successfully for others. He shed tears, he implored, and spoke with so much passion, that Cicero, who was an eye-witness, affirms, that he saw him touch the ground with his knee, in the warmth and earnestness of his entreaties. He was acquitted, and the next year had even a command in the war against the allies.

To make an end of what relates to the law Varia, I shall add, that by the most surprizing turn of affairs, Varius, when the term of his office expired, was accused and condemned as being himself within the prescription

A. R. 661. scriptio of his own law. He was not punished with
 Ant. C. banishment only, but perished miserably in the most
 91. cruel torments. Freinshemius conjectures, with great
 probability, that being reduced to wander about
 Italy, he fell into the hands of some of the allies, who
 made him undergo the just punishment of all his
 crimes. For besides the murder of Drusus, Cicero
 Cic. Brut. accuses him of having poisoned Q. * Metellus. But
 305. & de Nat. Deor. what I relate here, did not happen till after some
 iii. 83. time.

About the end of the Consulship of Philippus, the
 states of Italy took their last measures to concert their
 revolt. The death of Drusus, and the law Varia,
 had entirely convinced them that they had nothing to
 expect from Rome; they had lost their protector,
 and even the greatest of all crimes then was that of
 favouring them. They therefore conceived, they had
 absolutely no other resource but of arms, to obtain
 that by force, which would never be granted them
 by consent.

Diod.
 Eclog. 1.
 xxxvii.

As the Romans were sufficiently engrossed by their
 intestine dissensions, the allies had time to put their
 affairs in order, and to make preparations. Accord-
 ingly tumultuous proceedings subsisted no longer:
 every thing was conducted with order, system, and
 by deliberations maturely weighed. They formed
 the plan of an Italick Commonwealth upon that of
 the Romans. They established, for the capital and
 seat of their government, the city of † Corfinium, in
 the country of the Peligni, and they called it Italicum,
 as the common country, and metropolis of all the
 states of Italy, united by league. They laid out a
 Forum in it, and a hall for the Senate, which was to
 consist of five hundred deputies. They also took
 care to fortify this city, and to lay up in it all
 kinds of stores, money, provisions, and ammunition.

* I cannot say who this Metellus was; the family of the Metelli
 being then very numerous.

† This city, which is ruined, was not far from Sulmo, now Sol-
 mona, in Abruzzo Ulterior.

And lastly, hostages of the several states that entered into the association, were brought thither. Their Senate, like that of Rome, was to have the general administration of affairs; and it was also out of the same body, that the Magistrates and Generals of armies were to be elected. They created two Consuls, and twelve Prætors. The Consuls were Q. Pompeius Silo, of the nation of the Marfi, and C. Aponius, or according to others, Papius Mutilus, a Samnite. These two Generals, having each six Prætors under their command, divided Italy into two parts or provinces. The first had the country nearest Rome, on the west and north; and the other commanded in the rest of Italy, on the east and south.

The principal states that revolted, were the Marfi and Samnites. The first even gave their name to this war, which is frequently called the War of the Marfi. The Samnites, who had of old defended their liberty against the Romans during more than seventy years, were also the most tenacious in the revolt, and the last to lay down their arms, after a great part of them had been destroyed, especially by Sylla, who was their implacable enemy. With these two states, all the rest, that inhabited the country between the two seas, from the Liris, now Garigliano, to the Ionian sea, that is, almost all we now call the kingdom of Naples, took up arms for the common cause. The Romans had scarce any allies remaining, except the Umbrians, the Tuscans, and the Latines. Gallia Cisalpina, or Lombardy, had no share in this war. The Gauls who inhabited it were not allies, but subjects: and their country was treated as a province, that is, a conquered country. It was not so much as included in what the Romans then called Italy.

A. R. 662.
Ant. C.
90.

L. JULIUS CÆSAR.

P. RUTILIUS LUPUS.

App. Civ.
l. i.
Flor. iii.
16.

The first blood was shed at Asculum, now Ascoli, on the frontier of Ancona. The Romans, on advices from all parts, that the people of Italy were preparing to take up arms, sent proper persons into the different districts to inspect what passed. One of them having seen a young man carried as an hostage from Asculum to Corfinium, apprized Q. Servilius of it, who commanded in the country. Servilius ran thither, and with the highest degree of imprudence assumed an haughty tone to people incensed, who sought only an occasion for a rupture. He treated the Asculans as if they had been slaves, and menaced them in the sharpest terms. But menaces are very frivolous, when not sustained with power. The Asculans enraged fell upon him, killed him with his Lieutenant Fonteius, and afterwards put all the Romans who were in the place to the sword.

This massacre was the signal for the general revolt of Italy. All the states mentioned before took arms. But the first who signalized themselves were the Marsi, at the head of whom was Pompe dius Silo, the principal incendiary of this war. The rest did not delay to follow their example. All their measures, concerted long before, were soon put in execution. The Armies and Generals took the field; and the danger seemed so great to the Romans, that it was declared there was a tumult [*tumultus*,] so they called an important and dangerous war. In consequence there was a stop put to all business in the city; all the Tribunals, except that established by the law *Varia*, were shut up: the people quitted the toga, which was the habit of peace, and wore the military vest; and Rome seemed a town of war. Both the Consuls set out to make head against the enemy, but not without the precaution of leaving troops in the city in case of insult. They chose Lieutenant-Generals out of the most

most illustrious warriors, Marius, Sylla, Cn. Pompeius Strabo, father of Pompey the Great, and T. Didius, who had triumphed twice, over the Scordisci after his Prætorship, and the Spaniards after his Consulship. History also mentions Q. Metellus Pius, Cæpio, and many others. Rutilius had the Marſi for his province, and Julius Samnium. That first campaign an hundred thousand men were in arms, without including the garrisons of places.

A. R. 662.
Ant. C.
50.

However, before they entered upon action, the allies sent an embassy to the Romans, to make a last effort, and represent the justice of their pretensions, as they only demanded to be admitted citizens of a state that was partly indebted for its greatness to them. They probably thought, that their request, supported by their arms, would have more effect than for the past. But the Senate, always true to the Roman maxim of never suffering the law to be given them, replied, "That if the allies acknowledged their fault and submitted, they might be heard. That otherwise, they might spare themselves the pains of sending embassies to Rome." Thus all hopes of peace being at an end, hostilities began.

For the rest, we must not believe that amongst the people who took arms the Romans had no friends. The thing is impossible in itself: and Velleius pleases himself with citing the example of his great-grandfather's father Minatius Magius, who descended from Decius Magius, that faithful and constant ally of Rome, at the time of the revolt of Capua. Minatius, who inherited his grandfather's sentiments, raised a legion in the country of the * Hirpini, with which he joined the Roman troops, and signalized himself in the course of the war by many important exploits. And he was rewarded for it accordingly: he was made a Roman citizen nominally, and his two sons were created Prætors at a time when, as Velleius

* This country was part of that now called the Ulterior Principality, in the kingdom of Naples.

A. R. 662. takes care to observe, the Commonwealth had
Ant. C. only six.

90.
Diod. & Dio, apud
Valef. No wars are made with greater cruelty than civil wars, and this was really one, as I observed before. The more mankind are bound by strict and sacred ties, the more violent their hatred becomes when those ties are broke through. The allies proceeded to all kinds of inhumanity, both against the Romans, and against such of the Italians as continued faithful to Rome; and that they might have a proper instrument of their cruelties, the people of Asculum set a Cilician Captain of pirates at liberty, whom the Romans had taken, and left prisoner in their keeping. Nothing was spared, not even women and children. They invented an unheard-of punishment for the women, which was to tear off their hair and the skin of their heads. And the people of * Pinna, not being willing to share in the revolt, saw their children, which by misfortune had fallen into the hands of the rebels, butchered before their eyes. It is well that history preserves the remembrance of these horrible deeds, to make mankind ashamed of their barbarity.

The reader may justly expect in this place an account of military operations of the greatest importance, innumerable incidents, battles, and sieges. But I have already taken notice, that the times of which we are speaking, are perhaps the most barren of instructive memoirs of the whole history of the Roman Commonwealth. We have only abridgments, and those executed with little taste: and Appian, who supplies more circumstances than the rest, affords almost only a dry and trifling list of actions either little in themselves, or meanly related, without connection, without explaining causes and circumstances, and without any of those strokes that paint the different characters of men, and render history useful and agreeable at the same time. I shall therefore be obliged

* The citizens of Penna in Abruzzo Ulterior.

to content myself with giving a general idea of the series of facts, and to make choice of such as were most important.

A. R. 662.
Ant. C.
90.

At first the allies had the advantage almost every where: and Freinshemius happily enough finds the cause of this superiority in the union, concurrence, and zeal, which usually attend new enterprizes; whereas the dissensions with which Rome abounded, extended even to the armies.

Suppl.
Liv. lxxii.
44.

The Consul Rutilius encreased the evil by his unjust and ill-founded suspicions. As he observed that the enemy knew every circumstance of what passed in his camp, he was assured that the principal Officers and Nobility, who had always had intelligence with the allies, gave them these informations: and without farther enquiry, he wrote on that head to the Senate. These letters tended to setting all things in a flame at Rome. Happily some spies of the Marfi were discovered, who mixed with the Roman foragers, and even entered the camp with them, as is very easily done in a war, wherein the language, habits, and arms, are the same on both sides; and afterwards apprized their General of every thing they had been able to learn. In consequence these suspicions subsided, and tranquillity was restored. To cement it, the Senate decreed, that the law *Varia* should be suspended during the war: this was a source of division to which the Senate very opportunely put a stop, by the wisdom of this decree.

Dio. apud
Valef.

Ascon. in
Or. pro
Corn.

The Consul Rutilius appears to have been a man of little genius, envious, umbrageous, and more greedy of glory than capable of deserving it. Marius, who was his relation, advised him to protract the war; no doubt to give the first ardour of the allies time to cool; besides which, he represented, that provisions abounded in the Roman camp, and could not be wanting, whilst they had an open communication with Rome, and all the great part of Italy behind them; whereas the enemy, in the country where they made war, would soon be reduced to famine.

Dio.

A. R. 662.
Ant. C.
90.

Rutilius imagined that Marius, in proposing this plan of conduct, consulted only the motives of his own ambition; that he was desirous that the year should elapse without action, in order that he might be created Consul for the seventh time, and have the honour of terminating the war himself. With these thoughts he rejected Marius's counsels entirely, and took offence at them.

Appian.

He was encamped on the * Tolenus, a little river in the country of the Marſi, and below him, on the same side, at some distance, was Marius. Each had a bridge upon the river; and opposite to them, but nearest to Marius's bridge, on the other bank, lay Vettius Cato, one of the Prætors of the allies. The latter conjecturing that the Consul would pass the Tolenus to attack him, posted an ambuscade upon the way in a very obscure valley. His stratagem took effect. Rutilius advanced against him; and whilst they were at blows, the troops in ambush appeared on a sudden, attacked the Roman army, and put it into disorder. Eight thousand Romans perished in this battle, either by the sword, or by being pushed into the river, and drowned. The Consul himself received a wound in the head, of which he died.

Marius then shewed that he knew more than either of those Generals. I have said that he was encamped below the Consul. Having accordingly guessed what had passed, from the bodies of the Romans that came down the stream to him, he set out that moment, and finding the camp of Vettius almost without any guards, he carried it with little or no resistance. The victor, in consequence, deprived of his camp and baggage, was obliged to pass the night upon the field of battle, and retired the next day, without being able to make any advantage of his victory.

It is easy to judge, that the death of Rutilius occasioned great grief at Rome. But that grief was much increased, when the body of that Consul, and

* Now the Turano, in Abruzzo Ulterior.

those of several other illustrious persons, killed in the same battle, were brought thither to be laid in the tombs of their ancestors. The whole city was in mourning and consternation, which continued several days. The Senate apprehended, that such sights, if repeated, might entirely discourage the citizens; and decreed, that for the future, such as should be killed in war, should be interred upon the spot. The allies passed a like decree on their side.

Cæpio commanded a body of troops as Rutilius's Lieutenant, and gained a considerable advantage with them, that occasioned his destruction. For, in consequence of that success, the Senate having decreed, that the remaining soldiers of the army of Rutilius should be divided between Marius and him, he conceived on a sudden, that he was become as great a General as he to whom this decree seemed to make him equal: and that presumption inclined him the more to give blindly into the snare Pompeius laid for him.

That artful Italian, whose camp was at no great distance from that of Cæpio, came to him in the night, giving him to understand that he would change sides, and adhere to the Romans. As a pledge for his fidelity, he brought to him two children as hostages, which he said were his own, but they were really slaves. Besides which, pretending to be afraid that the allies would revenge themselves, by depriving him of his estate, and for that reason to use the precaution of saving at least some part of it, he brought with him counterfeit ingots of gold and silver, that is, of lead gilt with both.

Upon these proofs Cæpio confided in him: and the impostor having advised him to march and attack the camp of the allies, which would be much disconcerted when they saw themselves without a leader; the Roman followed that counsel with entire security, and began his march. But Pompeius, in the space between the two camps, had posted an ambuscade; and when he was near the place, he went up an hill, un-

A. R. 662.
Ant. C.
.90.

der pretence of going to view the posture of the enemy, but in reality to give his troops the signal agreed upon. Cæpio that moment was attacked, defeated, killed, and great part of his army were cut to pieces. Marius drew together such as found means to escape, and joined them with the troops under his command.

Hitherto the affairs of the Romans went very ill. The Consul L. Julius was the first who had the glory of an important success, which began to raise their hopes. He commanded in the war against the Samnites, who kept him so continually employed, that it was not possible for him to find time to go to Rome, to chuse a Colleague to succeed Rutilius; so that from the 10th of June, the day of the defeat and death of that unfortunate Consul, Julius continued alone to the end of the year, at the head of the Commonwealth.

He had received a blow at first, which probably conduced to make him more wary. He in consequence encamped near Papius, General of the Samnites, who was besieging the city of Acerræ, in Campania: but he contented himself with keeping him in continual alarm, and distressing him otherwise in the operations of the siege, and avoided coming to a battle. He found himself obliged to weaken his army by a stratagem of the enemy. The Romans had Numidian auxiliaries with them. Papius caused Oxyn-tas, the son of Jugurtha, who had been prisoner at Venusium, to be brought to his camp; and having made him assume all the ornaments of sovereignty, he frequently shewed him to the Numidians. They deserted in multitudes to join their King: and Julius had no other remedy in his power, than to send back all the Numidians in his army to Africa.

Papius, flushed with his advantages, resolved to give the Roman Consul battle; and seeing that he did not quit his camp, he despised him so much as to undertake to force his entrenchments. The Romans defended themselves with valour; and whilst they kept

kept the enemy employed at the place attacked, the Consul made his horse salley through another gate, who charging the Samnites in the rear, entirely broke them, so that they left six thousand men upon the spot. This victory gave the Romans both joy and hope. The Consul was declared Imperator by his soldiers; and at Rome the people quitted the habit of war to resume the toga.

The same good fortune did not attend Julius to the end of the campaign. He suffered a considerable loss, to which an illness, that made him incapable of acting, and obliged him to be carried to and fro in his army in a litter, contributed. For the rest, all these battles, and many that I omit, produced nothing decisive: and the war continued with equal heat, and almost equal forces on both sides.

Marius did not distinguish himself in it by great exploits. Whether through the necessity of circumstances, or perhaps the slowness and chill of age, it appears that the general course of his conduct was to gain time, and to hazard nothing. He however defeated the Marfi in a battle: but they began the attack, and when he had pushed them into vineyards surrounded with hedges, observing that they found it difficult to cross them in retiring, he was afraid of breaking his own ranks, and gave over the pursuit. Sylla, as if it had been his destiny to compleat what Marius had begun, happened accidentally to be on the other side of those vineyards, with the body of troops under his command. He fell upon the Marfi, and made a great slaughter of them. The number of the slain in both the actions of this day are said to amount to six thousand. In this battle fell Herius Asinius, one of the principal commanders of the allies, who was probably the grandfather of the famous Asinius Polico.

This nation of the Marfi were very warlike; and it was a common saying at Rome, that they had never triumphed either over the Marfi, or without them. Perhaps that consideration made Marius the more

Plut. in
Mar.

A. R. 662. cautious in attacking them. However that were, ex-
 Ant. C. cept on the occasions I have related, he tenaciously
 90. kept within his camp, without regarding either the
 complaints of his own soldiers, or the insults of the
 enemy. And one day when Pompeius Silo advanced
 within hearing, and cried out with a loud voice, " If
 " you are a great General, Marius, why don't you
 " fight ?" Marius answered, " You should rather be
 " asked, if you are a great General, why don't you
 " force me to fight ?"

Plutarch mentions another action, in which Ma-
 rius's soldiers behaved ill, and did not take an advan-
 tage given them by the enemy, so that the two ar-
 mies retired back to back. Soon after, Marius asked
 leave to quit the service, and returned to Rome,
 having lost much of his reputation. He pleaded the
 rheumatism, with which he was much afflicted, as the
 motive for his retreat ; pretending that he had sup-
 ported his spirits a great while with a courage beyond
 his strength, and that his illness had at length become
 so excessive, that he could withstand it no longer.

Sallust. 1p. Sertorius, though he had no command in chief in
 Gell. ii. this war, however signalized himself by a great num-
 27. ber of actions worthy of remembrance. But Sallust
 himself complains of not being sufficiently informed
 of them ; because at first the obscurity of the person
 who did them, and afterwards the malice of those
 who envied him, had buried them in oblivion. He
 was Quæstor this year, and had Gallia Cisalpina for
 his province. Having received orders to levy sol-
 diers and make arms there, he acquitted himself of
 both commissions with an activity and vigour, which
 distinguished him highly from other persons of his
 years, who were generally voluptuous and indolent,
 and considered an office as a title to make others take
 pains, and to dispense with any application of their
 own.

Plut. in
 Ser. or.

He did not confine himself to those easy functions
 which require care, but do not expose a person to any
 danger. He was present at several battles, wherein
 he

he exposed his person with the same bravery, of which he had given proofs in his first campaigns. As he went to battle without sparing himself, he often received wounds, and one in particular, by which he lost an eye. * But that deformity of his countenance was matter of joy and triumph to him. He said †, that others had not always the advantage of carrying marks of their valour about them; that they were forced to divest themselves of bracelets, crowns, and other military rewards, in order to shew them. But as for him, the proofs of his bravery accompanied him every where; and nobody could be a spectator of his disgrace, without being at the same time an admirer of his virtue. The people did him justice: and one day on his entering the theatre, he was received with applauses and acclamations, which the oldest Generals and most respected citizens did not always easily obtain.

Virtue is of all ranks and conditions; and after one of the greatest men Rome ever produced, I am not afraid to mention here an admirable action of two slaves. I cannot tell the exact time when it happened: but it undoubtedly was in the war I am now relating. The Romans besieged Grumentum ‡, in Lucania; and when the city was reduced to the last extremity, two slaves escaped into the camp of the besiegers. Soon after, the place was taken by storm, and plundered. The two slaves at this time ran to the house of their mistress, whom they seized with a kind of violence, and carried off, threatening her both with their words and gesture: and when they were asked who she was, they said she was their mistress, and a most cruel mistress, upon whom they were going to take revenge for all the barbarous treatment they had suffered from her. In this manner they made her

Sen. de
Ben. iii.
23.

* Quo ille dehonestamento corporis maximè lætabatur. SALLUST.

† Τὸς μὲν γὰρ ἄλλες ἐκ αἰὲ τὰ μαβύρια τῶν ἀριστείων περιφέρειν, ἀλλὰ καὶ ἀποτί-
δειναι σπινθὰ καὶ δόρατα, καὶ σιφάνες αὐτῷ δὲ τῆς ἀνδραγαθίας παραμένειν τὰ
γνωρίσματα, τοὺς αὐτοὺς ἔχοντι τῆς ἀρετῆς ἅμα καὶ τῆς συμφορᾶς διατάς. PLUT.

‡ This city was in the country now called Basilicata.

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Ant. C.
90.

quit the city, and conveyed her to a safe retreat, where they concealed her with great care. Then, when the fury of the soldiery was over, and every thing quiet in the city, they made her return into it, and were ready to obey her as before. She gave them their liberty, which was the greatest reward in her power to bestow, but certainly extremely short of the service she had received. I resume the series of our history.

Appian.

Cn. Pompeius Strabo had * Picenum for his province. He was not successful at first, as had happened to most of the Roman Generals in this war. Immediately after the massacre at Asculum, he attacked the place, and was repulsed with loss. Being afterwards attacked himself near the river Tenna †, by three Generals of the allies, Afranius, Ventidius, and Judacilius, he was defeated, and obliged to retire to the city of Fermo. He was besieged there by Afranius alone, the other two Italian Prætors having employment elsewhere. Pompeius kept a great while on the defensive. But at length having advice that Sulpicius approached with a Roman army, he concerted a plan with him for attacking the enemy. At the time fixed he made a vigorous sally. Afranius, who thought he had only Pompeius to deal with, employed all his forces to repulse him. But whilst they were engaged with almost equal advantage, Sulpicius arrived, and set the camp of the allies on fire. The sight of the flames terrified the Italians, and to complete their misfortune, Afranius being killed, the whole army broke and dispersed. Those who could escape the victor, fled to Asculum; and Pompeius immediately invested that city.

The victory, which I have just related, restored the tranquility of Rome. After that of the Consul Julius, the citizens had resumed the toga, or habit of peace; this made the magistrates put on the

* Now called Marche d' Acona.

† Now the Tingo.

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robe prætexta, and assume the other ornaments of their dignity. Thus every thing returned to its ancient order: and the war, in the state it was, was considered only as a common war, that did not prevent the city from enjoying the sweets of peace.

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Ant. C.
90.

In the mean time, a new event shewed the Romans that they could not hope to extricate themselves out of danger solely by the force of arms. Most of the Umbrians, and some Tuscan states, quitted their alliance, and joined the rebels. The example might have fatal consequences: and the Romans apprehended they should be left alone, if they persevered in refusing the general desire of Italy. The Consul Julius therefore, with the advice, and by the authority of the Senate, passed a law to grant the freedom of Rome to such of the allies as had continued faithful hitherto. By this law, Latium, and part of Tuscany and Umbria, at length acquired the right, that made them equal with the Romans. They adhered in consequence more firmly to the Commonwealth: and the other states of Italy also conceived hopes of sharing that privilege with them; at least by laying down their arms. And the war in reality was terminated only by this method. But to bring things to this point much blood was still to be shed.

The greatness of the danger, and the scarcity of men, forced the Romans to admit freedmen into their land-forces, who till then had either been excluded, or very rarely employed. They raised twelve cohorts of them, whom they posted to guard the sea-coasts from Cumæ to Rome.

CN. POMPEIUS STRABO.

L. PORCIUS CATO.

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Ant. C.
89.

Pompeius and Porcius had deserved the Consulship conferred upon them by considerable services. We have mentioned the victory which the first gained over Afranius in Picenum; and Porcius, towards the end
of

A. R. 663. of the preceding year, had also defeated the states of
 Ant. C. 89. Tuscany, who had revolted, in a pitched battle.

Appian. Pompeius in his Consulship had confined himself particularly in carrying on the siege of Asculum, which, as I have said, he began before he was elected Consul. This siege was one of the most important operations of the war. The Romans were the more eager to take it, as it was this city which had given the signal of the revolt: and the allies defended it with no less vigour. Armies of seventy-five thousand Romans, and sixty thousand Italians, fought before Asculum to hasten, and prevent, the taking of it.

Vell. ii. 61. The efforts of the allies could not make the Romans raise the siege; but they occasioned its continuing a great while: and it appears that Pompeius left the command of it during some time to L. Julius, Consul of the preceding year, in order to keep the field himself, and oppose the different nations of the enemy. He gained a great victory over the Marfi. He reduced the Vestini * and Peligni to submit and lay down their arms. But we have few particulars of these facts. Seneca has preserved a very remarkable circumstance, which relates to the time of the reduction of the Peligni. C. Vettius, who was of that nation, and one of the principal Generals of the allies, had been taken prisoner, and was brought to the Consul. One of his slaves snatched the soldier's sword who was dragging him along, and first killing his master, and then turning the point of it against himself, "It is time," said he, "that I should provide for myself; I have set my master at liberty." On saying these words, he plunged the sword into his own breast, and fell dead. "What † slave, cries Seneca, ever delivered his master in a more glorious man-

* The Vestini inhabited the country upon the banks of the Ater-nus, a river now called Pescara, in the Abruzzo.

† Da mihi quemquam, qui magnificentius dominum servârit.

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ner?" But as to us, however glorious this action may be, the severity of the Christian Morality, in respect to homicide, does not permit us to praise it. And indeed, how many events might have delivered Vettius in a gentler and more happy manner?

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89.

L. Porcius, as well as his Colleague, carried on the war with success. He gained various advantages over the Marfi, whom he seems to have made it his sole employment to subdue. But at last, in attacking their camp near the lake * Fucinus, he was killed, and by his death gave the victory to the enemy. Orosius imputes his death to young Marius, who desired to revenge a pretended insult done by the Consul to his father. For Porcius, who had the same troops that old General had commanded the year before, had boasted, that "Marius had not done greater things than him." Those words were fatal to him; and in the heat of the battle, an unseen stroke, but from the Roman army, and according to the words of Orosius, from the hand of young Marius, laid him dead at the foot of the enemy's intrenchments. So black a crime would be incredible, if that young man had not too fully proved in the sequel, by the most horrid cruelties, that he was capable of it.

Oros. v. 11

Dio tells us, that this Consul had enraged his soldiers against him by severe reproaches and haughty behaviour, which had even occasioned a sedition, in which he was very near perishing. The resentment of the troops may have been either the cause of Porcius's death, or the occasion of Marius's better concealing his guilt.

Dio. apud
Vales.

Sylla signalized himself in this war above all the Roman Generals. I have related in the foregoing book, in what manner he compleated a victory left imperfect by Marius. This year is more productive of events glorious for him. He commanded, as the Consul Porcius's Lieutenant, a body of troops in

* Now called the lake of Celano.

A. R. 663. Campania, where he destroyed the city of Stabiæ on
 Ant. C. the last day of April. From thence he marched to
 89. besiege Pompeii, a city situated at the mouth of
 the Sarno. Whilst he was employed at this siege,
 his forces were augmented in the manner I proceed to
 relate.

The Romans had a fleet under the command of
 Postumius Albinus. He was an haughty and violent
 man, who made his soldiers abhor him to such a de-
 gree, that they rose against him, and accusing him of
 treason and holding intelligence with the enemy, they
 stoned him to death. Sylla took upon him the com-
 mand of these soldiers, who had embrued their hands
 in the blood of their General, and incorporated them
 into his army, without punishing the crime they had
 lately committed. He palliated this bad indulgence
 with as bad an excuse; and said, that those troops
 would only act with more ardour, to expiate the crime
 they had committed by their services. But his real
 motives were ambition and self-interest. The enmity
 between him and Marius was then rose to excess; and
 he proposed no less than to reduce his enemy to extre-
 mities, and to destroy him. Besides which, as the
 war with the allies drew towards an end, he aspired at
 having the command of that against Mithridates, for
 which preparations were making. With these views
 he applied himself in gaining the affection of the sol-
 diers, even at the expence of the most inviolable laws
 of military discipline. And he was in effect the first
 Roman General, who set the pernicious example of
 attaching the troops to himself, to the prejudice of
 the Commonwealth, and to substitute the rights of his
 country to his private views, so that the soldiers under
 his command became the troops of Sylla, and not
 those of the Roman People. The ambitious conduct
 of this General will appear more fully in the sequel.
 For the present, he made himself really useful to the
 Commonwealth.

Liv. Epit.
 lxxv.
 Plut. in
 Sylla.

Appian.

Cluentius, one of the Generals of the allies, came
 with a great army of the Samnites to the relief of the
 city

city of Pompeii, and boldly encamped at four hundred paces from the Romans. Sylla, who thought himself despised and insulted, moved to attack the enemy, though he had sent great part of his troops to forage. He had reason to repent his presumption, and was repulsed with loss. But he soon had his revenge; when his foragers had rejoined him, he attacked the enemy again, and Cluentius was defeated and obliged to retire.

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89.

This first advantage was not decisive, and the Italian General, having received a reinforcement of Gauls, returned to the charge. We have seen, in the course of the Roman History, several single combats with Gauls, in which they were never successful. It here gives us another with the same effect. A Gaul of very great stature advanced out of the line, and challenged the bravest of the Romans to fight. A Moor was sent against him, who was as little as the other was big, and however killed his adversary. The consequence was as is natural on such events. The Gaul's death terrified those of his nation. They made a bad defence, were soon broke, and drew after them the rest of the army. Sylla's victory was compleat: he took the enemy's camp, who continued flying, and did not believe themselves safe till they were near Nola. The victor pursued them thither: and without giving them any time, he attacked them again, and entirely ruined that army with its General, who was killed in the action. Appian makes the number of the dead in the first action amount to thirty thousand, and in this to twenty. And what is more surprising, and even incredible, according to Eutropius, Sylla did not lose a single man. But a greater authority than that of so mean a writer, is necessary to make us believe a fact so remote from all probability.

Sylla had wrote in his memoirs, that his soldiers had honoured him at Nola with a crown *Ofidionalis*. This crown was not, like others, granted by the General to soldiers who had distinguished themselves; but

Plin.
xxii. 6.

A. R. 663. but on the contrary, conferred by the troops on their
 Ant. C. General, who had extricated them out of some great
 89. danger. It was only of turf: and the grass, of which it was formed, was to be taken only from the very spot where the army had been surrounded by the enemy, and from which the wisdom and valour of the commander had brought it off. We do not see, from the facts which I have related after Appian, in what manner Sylla had deserved this crown. But we must ascribe that to the negligence of this author, and others, to whom we are obliged to have recourse for these times. This crown was the greatest honour that could be conferred upon a citizen: and Sylla, who was desirous to perpetuate an event so much to his glory, caused it to be painted in his country-house at Tusculum, which afterwards belonged to Cicero.
 * But as Pliny observes, it was in vain for the author of a proscription to take honour to himself from a Corona Obsidionalis. He himself tore it from his head, when he afterwards destroyed a much greater number of citizens than he had ever saved.

Appian.

Sylla, after so great a victory, improved his advantages. He entered the country of the Hirpini: and the inhabitants of Eculanum, which was in a manner the capital, not surrendering soon enough, he made his troops plunder it. This example of severity intimidated the rest, and in a few days the whole province submitted.

From thence he marched to Samnium, where he was at first in a perplexing situation. He had entered a defile near the city of Esernia, having an army of Samnites, commanded by Papius Mutilus, to oppose him. Sylla was a man of presence of mind in difficulties. He managed in such a manner, that he had an interview with the General of the enemy, under pretext of negotiating an accommodation. Nothing

* Quod si verum est, hoc execrabiliorum eum dixerim: quandoquidem eam capiti suo proscriptione sua ipse detraxit, tanto paucioribus civium servatis, quam postea occisis.

was concluded in it. But the truce, by a very natural effect, occasioned a security amongst the Samnites, which lessened their attention and vigilance. The Roman took his advantage of this; and favoured by the silence and obscurity of the night, made his troops set out, leaving only one trumpet in his camp to sound as usual the beginning of each watch, every three hours. At the fourth watch the trumpet himself withdrew to rejoin the army, which by this means got safely out of the defile.

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89.

Sylla did not satisfy himself with only escaping the danger. Having marched round the camp of the Samnites, he attacked them in a part where he was least expected, defeated them, and took their camp. Papius escaped wounded by Efernia. Sylla put an end to this glorious campaign by a considerable conquest. He attacked * Bovianum, a very considerable city, where the Samnites held their general assembly, and which was fortified with three citadels. He assaulted it in several places at the same time, and in three hours carried the place.

After so many great exploits Sylla returned to Rome, to stand for the Consulship, to which few candidates had ever offered themselves with the recommendation of such great and glorious services. He brought with him the most unexceptionable reputation. All the world considered him as a great warrior: his friends extolled him as the principal General of Rome; and even his enemies could not refuse him the title of successful Captain.

Plut. in
Sylla.

He took no manner of offence at this language of his enemies. On the contrary, he was extremely delighted with passing for the favourite of fortune; whether that was out of ostentation, and to take honour to himself on the protection of heaven, or perhaps from conviction of mind. Plutarch repeats circumstances from Sylla's memoirs to this effect, which are entirely singular. He said in them, that he succeeded

* Now Boiano, in the county of Molise.

A. R. 663.
Ant. C.
89.

better in accidental enterprizes, than in those he had premeditated, and intended to conduct prudentially. He confessed that he was more fortunate than capable in war; and advised Lucullus, to whom he dedicated them, to rely on nothing so much as on what the gods should inspire him with in dreams. All this seems to prove, that he actually believed in fortune. And the thing cannot appear so strange in so odd and capricious a genius as his. Plutarch in the same place gives us a description of him, which I ought not to omit to readers who are desirous to know mankind well.

He was inconsistent, and perpetually in contradiction to himself. He took away from some with violence, and bestowed upon others with profusion: he honoured persons without reason, and insulted in the same manner: he made his court with address to those of whom he had occasion; and behaved haughtily to such as stood in need of him; so that it was doubted, whether he was most proud, or most a flatterer. He was the same unequal man in his resentments and revenge: sometimes he would inflict punishment for the slightest faults, and on other occasions suffered the greatest offences patiently: he would easily be reconciled to those who had done him the most extreme injuries, and revenged the slightest imprudences with murder and confiscation of fortune. Perhaps, says Plutarch, this inequality of conduct in respect to those he hurt might be explained, by saying, that his disposition and interest swayed him alternately; and that, though naturally inclined to revenge, he checked and moderated himself by reflexion, when the good of his affairs required it. And may not the same key solve most of his other inconsistencies? I return to the war with the allies, of which I have still some events to relate, all more and more to the disadvantage of the Italian league.

The Marfi, who had been one of its strongest supports, quitted it, being tired and subdued by their past losses, and the new ones they sustained from Muræna

ræna and Metellus Pius. The Peligni had also submitted, as I have related. The Romans in consequence being masters of Corfinium, which the rebels had made their metropolis, it was necessary to transfer the general council to Esernia, a city of the Samnites, who, by the defection of the Marfi, found themselves alone at the head of all the states that persisted in their fidelity to the association. They elected five Prætors or Generals, amongst whom they gave the principal authority to Pompeidius Silo. He deserved this preference by his ability in war, his courage, and especially, his tenaciousness in the revolt, of which himself had been the first author, and which could not make him abandon the example even of his own nation, that is, of the Marfi, who had lately made their submission. He assembled an army of thirty thousand foot and a thousand horse: and being reduced by necessity to try every kind of resource, he even gave slaves, who would join him, their liberty; and having drawn together about twenty thousand of them, he armed them in the best manner he could. With these troops he retarded for some time the entire ruin of his party.

In the mean time, the siege of Asculum, which had continued part of the year, at length ended to the advantage of the Romans. When the city was reduced to extremities, Judacilius, who was a native of it, tried a last effort to preserve it. He was one of the principal leaders of the Italians, a man of vigour and courage. For this purpose, he drew together eight * cohorts, and beginning his march, sent a courier to the Asculani, to advise them to watch his arrival, and to sally upon the besiegers, whilst he should attack their entrenchments on the other side. He was in hopes, that the Romans enclosed between two fires, might be put into confusion, and that he might perhaps have occasion to give them a great blow, and thereby force them to raise the siege. The plan was not ill conceived: but the inhabitants wanted cou-

* The cohort usually consisted of 500 men.

A. R. 663.
Ant. C.
89.
Liv. Epit.
lxxvi.
Diod. Ec.
lxxxviii.

A. R. 663. rage; so that all Judacilius could do, was to break
 Ant. C. into the city with part of his followers. He re-
 89. proached his countrymen in the warmest terms with
 their cowardice: and seeing that he had nothing farther to hope, he resolved to die: but first he determined to be revenged of his enemies, who had often taken pleasure in opposing his designs, and who just before had prevented the execution of his last orders. As he was strongest in the city, he caused them all to be seized and put to death. After having satiated his revenge, he thought it acting for his own glory, to revive the example set by Vibius Virius at the taking of Capua. He invited his friends to a great entertainment, and exhorted them to prevent with him the disaster of their common country, by a voluntary death. Every one praised his courage, but none would imitate it. In consequence, he took the poison: and as he had taken care beforehand to have a funeral pile erected, he caused himself to be carried to the top of it, and ordered his friends to set it on fire. Thus perished this brave man, seduced, no doubt, by the idea of glory, which the Pagan world annexed to self-murder. But, according to the mere lights of reason, what glory does a death deserve, that was of no utility to the publick and the common cause, and of which the whole fruit could only terminate in preserving the person, who killed himself, from the evils which he dreads still more than death?

App. Oros. Though the authors, who have spoke of the death of Judacilius, seem to place that event at the beginning of the siege, I have chose to relate it at the end; because it did not seem probable in the least, that this General should have taken so desperate a resolution, if he had seen his country in a condition to make a longer resistance. I assure myself, therefore, that the taking of Asculum soon followed his death; and that the despair of the leader, having occasioned that of the multitude, the city either surrendered at discretion, or being ill defended by the discouraged inhabitants, was taken by storm. The Consul Pompeius
 made

made this unfortunate city an example of severity. The principal citizens, and all the officers of war, were scourged with rods, and beheaded: he spared the lives of the rest, but deprived them of their slaves and all they possessed: the city itself was demolished to its foundation. In this manner the blood of the Roman citizens, who had been massacred there, at the beginning of the war, was revenged.

A. R. 663.
Ant. C.
89.

Hitherto it had not been the custom to grant a triumph for having reconquered what had formerly belonged to the Commonwealth. However, Pompeius triumphed over the Asculans, and people of Picenum, the sixth day before the calends of January, that is, the * 25th of December. Amongst the prisoners, which he led in triumph, several writers have mentioned P. Ventidius, who undoubtedly was the son of him whom we have named amongst the most illustrious leaders of the allies. This same Ventidius, now led in triumph, will triumph himself in fifty years: a memorable example of the vicissitude and instability of all human things, in good as well as ill.

Fasti Capit.

Vell. ii. 65.
Plin.
vii. 43.
A. Gell.
xv. 4.

Pompeius had caused all the plunder of Asculum to be sold: but though the publick treasury was exhausted, he carried no part of the money he had raised by that sale into it. He was a man whose ability in war constituted his sole praise: for the rest, he was excessively avaricious, and little scrupulous in respect to the means of enriching himself. And this is not the only vice with which history reproaches him, as we shall have occasion to observe in the sequel.

Oros.

Plut.
Pomp.

The Italian league was extremely weakened, and the following year lost the person who was its soul and mover, Pompeius Silo. He had however some success at first, and had even retaken the city of Bovianum. Intent upon pursuing the system he had,

A. R. 664.
Jul. Obseq.

* In Numa's calendar, which the Romans then followed, December had only 29 days.

A. R. 664.
Ant. C.
88.

laid down to himself, of setting his Commonwealth on a level with that of Rome, he was desirous to triumph, and actually did triumph in his new conquest. But superstitious antiquity has observed, that he thereby gave an omen of his future defeat; because it was into the victorious city that he entered in triumph, and not into one conquered. Soon after he lost a great battle, in which he was killed: and with him expired the whole glory of his party, which from thenceforth only dwindled.

It seems very probable to me, that the embassy sent by the allies to Mithridates, to implore his aid, and invite him to unite with them against Rome, is to be ascribed to this obstinate enemy of the Roman name. For the rest, if the author of this deliberation is not certainly known, the fact is however certain from Diodorus Siculus. The hatred of these Italians must have rose to madness, to have induced them to seek so remote a protection, and one which ought to have been suspected and odious to them, from so many causes: and hence it appears, that it is after strict historical truth one of our greatest poets introduces Mithridates saying to his children:

Diod.
Eclog.
l. xxxvii.

Racine.

*Non, Princes, ce n'est point au bout de l'Univers,
Que Rome fait sentir tout le poids de ses fers:
Et de pres inspirant les haines les plus fortes,
Tes plus grands ennemis, Rome, sont a tes portes.*

In English;

“ No, 'tis not only at the world's extremities
“ Rome makes the nations feel her iron yoke;
“ At home they sigh, and they abhor her sway,
“ And her worst enemies are at her gates.”

The King of Pontus did not afford much attention to this embassy, and replied coldly, that when he should have terminated the affairs of Asia, which actually employed him, he would go and join his forces with those of the Italians,

This

This was the last considerable step taken by the rebels. From thenceforth, though the Lucanians and Samnites continued still in arms, I find no more events that directly and solely belong to the war with the allies. They no longer make a party alone, but are confounded with those of Marius and Cinna.

Almost all the states of Italy had then the freedom of Rome. For it had been granted them in proportion as they laid down their arms. From hence arose

a prodigious number of new citizens, which extremely perplexed Rome. As * their multitude was immense, to distribute them into the five-and-thirty Tribes was making them masters of every thing; it was annulling all the dignity and power of the ancient citizens; and these new comers, adopted through favour, would have crushed those from whom they held their privilege. It was therefore resolved to form eight new Tribes, in which all the new citizens should be included.

This plan, copied from that of King Servius Tullius, in the establishment and distribution of the centuries, remedied all inconveniences. The old

citizens entirely retained their superiority, as being much less in number; they had thirty-five voices, whilst the others had but eight: and besides, as these new Tribes were to be only called to vote last, it was natural, that the majority should be very frequently formed before it came to their turn to give their suffrages. The allies, now become citizens, acquiesced at that time in every thing; whether they did not perceive the great advantage that regulation gave the ancient citizens over them, or were satisfied with acquiring the freedom of Rome at any rate whatsoever.

It is probable, that in order to establish this, two Censors were created in the year of the Consulship of Cn. Pompeius, who were P. Crassus, and L. Julius Cæsar, Consul the year before. Nothing else, that

A. R. 664.
Ant. C.
88.

Vol. I.
l. i. §. 6.

A. R. 663.

* Ne potentia eorum, & multitudo veterum civium dignitatem frangeret, plusque possent recepti in beneficium quam auctores beneficii.
VELL. ii. 20.

A. R. 663. passed in the Censorship, except that they made some
 Ant. C. decrees against the luxury of the table, is come down
 89. to us.

This same year 663, a crime was committed in the publick Forum of Rome, unheard of before, and which demonstrated that the laws had lost their whole credit and authority, and were reduced to give way to force, which took place of right and justice. Debts had in all times occasioned great troubles at Rome. We have frequently mentioned them in this history. The avidity of those who lent money, was not contented with the interest allowed by the Roman laws, and exacted greater. The debtors were entirely ruined, and did not pay. This evil was excessively felt at the time of which we are speaking, because the circumstance of a war so near home, so dangerous, and which required such great expences, had made money very scarce, and had ruined the fortunes of a great number of particulars. The merciless creditors, however, abated nothing of their rigour: so that the debtors called out for the protection of the laws, and pretended not only to a right to be allowed delays of payment on account of the bad state of their affairs, but to have their creditors treated as violators of the laws, in exacting greater interests than they allowed.

A. Sempronius Asellio, Prætor of the city, and in that capacity supreme judge of this kind of contests, endeavoured to moderate the affair, and put an end to the quarrel by the method of accommodation. But that not being possible, as he was a just man, he opened the tribunals to the debtors, and caused justice to be done them. Upon this, the creditors became furious, and not being able to overcome the Magistrate's constancy, they resolved to rid themselves of him; and executed their design with incredible audaciousness. Supported by L. Cassius, Tribune of the People (for it was necessary that the Tribunes should have a share in all the violences committed at Rome), they attacked Asellio in the Forum itself,

whilst

whilst he was sacrificing. The unfortunate Prætor, finding himself struck by a stone, and seeing an enraged multitude around him, threw down the sacred cup which he held in his hand, and endeavoured to fly to the temple of Vesta. But they interposed, and forced him to retire into a publick house, where they knocked him on the head. Some of those who pursued him, and who had seen him running towards Vesta's temple, believed he had got into it, and were not afraid to force the barriers of that sacred asylum. Notwithstanding the most sacred laws, which did not permit men to enter it, they made the strictest search in places that religion ought to have made inviolable to them. Thus perished a Prætor, actually employed at a sacrifice, dressed in the sacred ornaments, and that at noon-day, in the publick Forum. And the authors of this enormous crime had combined together in such a manner, and knew so well how to shut all mouths that could accuse them, that it was not possible to find proofs against any one of them. The Senate published a decree in vain, to invite all such as had any knowledge of the guilty, to declare what they knew, promising them rewards; liberty, if they were slaves; a sum of money, if free; and pardon, if accomplices. Nobody appeared to make the discovery; and so atrocious a crime remained unpunished. What justice could private persons expect in a city, where it had cost a magistrate his life for having done justice? Did not Rome in consequence fall back into the confusion ascribed by the poets to the first men in the savage state of nature, before the institution of societies?

It was probably to prevent the like excesses for the future, that M. Plautius Sylvanus, Tribune of the people, proposed and passed a law concerning publick violence, *de vi publica*. The Civilians differ in their construction of those words. Let it suffice to observe, that the force of them intends all violence, contrary to the peace and good order of the publick: and

A. R. 663, and that idea includes many things, and may have
 Ant. C. very great extent.

98. The same Tribune of the People reinstated the Sen-
 Afcon. in ators in a share of the administration of justice. Cæ-
 Orat. pro pio and Drusus had attempted the same thing, but
 Com. ineffectually : and the Knights had been the sole
 judges since the law of C. Gracchus. Plautius gave a
 new turn to that he proposed, which perhaps con-
 ducted to its being passed with more ease. He de-
 creed, that each Tribe should nominate fifteen citi-
 zens every year to act as judges. According to this
 plan, the judges might be indifferently either Sena-
 tors, Knights, or even of the order of the People.
 The law was accepted, and was in force till Sylla's
 Dictatorship.

To conclude what remains of the year 663, I have
 only to speak of the election of the Consuls. I have
 said that Sylla was returned to Rome. His services
 spoke highly in his favour. He however had a com-
 petitor it cost him great pains to overcome. This
 was C. Cæsar, the brother of L. Cæsar, who had been
 Consul the first year of the war with the allies, and
 was then Censor. He was also brother, by the mo-
 ther's side, to Catulus, who conquered the Cimbri.
 Supported by the credit of two such illustrious bro-
 thers, and with abundance of personal merit, he
 thought he might set himself above rules, and pre-
 tend to the Consulship, though he had been only
 Ædile, and not Prætor. It is probable that he was
 supported by * Marius, who was for excluding Sylla.
 For as Sylla and Cæsar were both Patricians, they
 could not be Consuls together.

P. Sulpicius, the young orator, of whom we have
 spoke on the occasion of the trial of Norbanus, being
 then Tribune, opposed the irregular standing of C.
 Cæsar, who was however his friend. They were
 both eloquent, but in a quite different manner. Ve-

* Diodorus Siculus, who is the only author that mentions Marius in
 this affair, says, that he acted against Cæsar. But Sylla's competitor
 could not have Marius against him.

hemence constituted the character of Sulpicius, as we have said. * Cæsar had pleasantry, and the graces. His stile had the most delightful urbanity, and never man knew better how to season his discourse with salt and humour: but he wanted force and spirit. He however shewed both on the occasion of which we are speaking, as well as his adversary. Speeches were made on both sides before the people, not without debates and sedition. At length C. Cæsar was obliged to give way: and Sylla was elected Consul with Q. Pompeius Rufus.

A. R. 663.
Ant. C.
89.

The success of Sulpicius in this affair flushed and ruined him. We shall see him next year turn again in favour of Marius against Sylla, become one of the principal causes of the publick calamities, and at length draw an unhappy death upon himself.

* C. Julius orator fuit minimè ille quidem vehemens: sed nemo unquam urbanitate, nemo lepore, nemo suavitate conditor. Cic. Bruto, n. 177.

T H E

ROMAN HISTORY, &c.

By Mr. CREVIER,

Professor of RHETORICK in the College of BEAUVAIS :

Being the Continuation of Mr. ROLLIN's Work;

ADVERTISEMENT

TO THE

TENTH VOLUME of the First Edition.

I Thought, that it was perhaps without much reflexion, a certain Writer of reputation in several kinds of literature had advanced, as I have observed in the Advertisement to the Ninth Volume, that the serious study of History ought not to be began till towards the end of the fifteenth century. I was deceived ; it was not an opinion that had escaped him inconsiderately ; it seems, it is a System, a Thesis, that he maintains with argumentation and proofs.

“ To treat Ancient History,” says he, “ * is, in my opinion, to compile some truths with a thousand lies. That History is perhaps useful as Fable is so.— The exploits of Alexander are to be known only as we know the Labours of Hercules.”

I admit that a critical discernment is necessary in the Study of Ancient History, and that we ought not blindly to adopt all that we find laid down in books. But there are rules for distinguishing the true from the false ; and if it be weakness to believe, it is rashness to reject, every thing.

* Considerations upon History annexed to the *Mémoires Françoises*, p. 115.

I proceed, for instance, to a principle equally simple and luminous, which ought to reconcile the illustrious Author, whom I take the liberty to refute, at least to a part of the Facts of Ancient History. It is not the remoteness of time, that occasions uncertainty in respect to those facts; it is the want of cotemporary Writers. If events had been delivered down to Posterity by persons of sense, who had either been witnesses, or actors, in them, or who had means of being exactly informed in them, we should then, in reading their works, become ourselves in some measure Cotemporary with those facts: and I really believe, we can no more doubt what Polybius has left us concerning the war of Hannibal, than what Comines has wrote in his History. Admitting this, wherefore should we banish the History of Alexander into the region of Fables, and place it on a level with the Labours of Hercules? Not to mention a thousand other proofs, that History had been wrote by Ptolomy, son of Lagus, and by Aristobulus, both companions of that famous Conqueror in all his expeditions; and Arrian, whose Work we have, has followed the Memoirs of those two cotemporary Writers. In consequence, the History of Alexander admits no doubt, and the most excessive pyrrhonism itself cannot call its certainty in question.

As much may be said in respect to the History of Greece by the Persians, written by Herodotus; to that of the Peloponnesian War by Thucydides, and the continuation of it by Xenophon. The same principle, applied to the Roman History, supports us entirely in regard to the facts related by Cæsar, Sallust, Tacitus, Suetonius; and in going back a little farther, by Polybius, a writer of no great elegance, but infinitely judicious, and one whose authority has always been extremely revered. I cite this small number of Authors and facts by way of examples;

amples; not that I pretend to call in question the certainty of the Roman History before the time of Pyrrhus, as a certain author of great merit has done. But it would require more discussion to establish that certainty than would suit this Advertisement; and I must be contented to refer the Reader upon this head to the various Dissertations of the Learned of the Academy of the Belles Lettres, in which it has been clearly proved.

I infer then, that Polybius is a Writer whose authority is indisputable; and therefore I cannot easily conceive how any one can find room for ridiculing what Mr. Rollin has related after him, concerning the Tyrant Nabis, and the cruel machine which he used for tormenting those who refused to give him money. And indeed, neither Polybius, nor Mr. Rollin, say, "that Tyrant made those who brought him money embrace his wife;" which is an unfair addition to the narration of those Historians. But as to the rest, what difficulty is there to comprehend, that a machine, in the shape of a Woman, and provided under cloaths with iron spikes, might be made to move by the means of springs; and that by pressing it against the breast of a man, it might torture him extremely. This Mr. Rollin relates after Polybius, who might have seen Nabis, and had passed his youth with persons of that Tyrant's intimate acquaintance.

I do not think in the same manner of Curtius's accounts, the shields that fell from Heaven, and the like stories, justly rejected by the ingenious Censor. Mr. Rollin repeats them as he found them in the originals, but without believing them himself, or expecting his Readers to believe them. It was impossible to omit them in a Roman History; which suffices to justify him.

But the regard which I have for the memory of that great man, does not admit me to be silent on our

Critick's affecting to distinguish him most frequently by the single title of *Rheteur*, Rhetorician. He would undoubtedly have taken no offence at a name, that is no less honourable than that of a Poet. But it is so easy to have added other characters to it, as polite Writer, and nervous Author, whose animated Works inspire the love of virtue and respect for Religion; zealous for the publick good, modest Censurer, noble and generous soul, who praises with joy, and blames with reserve and repugnance; it is, I say, so easy to have designed him by these marks and abundance of others, that have acquired him the praises of all Europe, that I cannot sufficiently wonder to find him described solely by the most minute of all his titles. When a person thinks himself obliged to censure such a Writer, in my opinion, the least he can do is to begin by giving him his due praise, and that it is shewing a regard for one's own reputation, to pay homage to that of a man so universally esteemed.

It is not that I consider the quality of Rhetorician as below Mr. Rollin. Every profession of a man of letters is noble in itself, and by its object; the only question is to exercise it with superiority, as he has done. In this point, I think him capable of sustaining his adversary's charge with advantage; and this I undertake to prove the more willingly, as in justifying him, I shall at the same time justify one of the finest of our Orators.

Lettre sur
l'Esprit,
p. 100.

The same Critick blames Mr. Rollin for having quoted the following passage in Mr. Flechier's funeral Oration upon the Marshal Turenne with praise: "Powers, enemies to France, you live: and Christian Charity forbids me to frame any wishes for your deaths. May you only acknowledge the justice of our arms; accept the peace, which, notwithstanding your losses, you have so often rejected; and with the abundance of your tears extinguish the flames of a war you have unfortunately kindled. God forbid,
that

that I should carry my wishes farther ! The judgments of God are impenetrable. But you live : and I deplore in this Chair a wise and virtuous Captain, whose intentions were pure and upright, and whose virtue seemed to merit a greater extent of life." This is the passage criticized, which it was proper to repeat in all its extent. We come now to our Critick's observations.

" An Apostrophe in this taste might have been proper at Rome in the Civil War after the assassination of Pompey, or in London after the murder of Charles the First : because the interests of Pompey and Charles the First were the question. But does it consist with decency, ingenuously in the rostrum to desire the deaths of the Emperor, the King of Spain, and the Electors, and to put in ballance with them the General of a King their enemy ? Are the intentions of a Captain, which can extend no farther than the service of his Prince, to be compared with the political interests of the crowned heads against whom he served ? What should we say of a German, who should have desired the death of the King of France, on the occasion of General Mercy's being killed, whose intentions were pure and upright ? Why then has this passage always been praised by Rhetoricians ? It is because the Figure in itself is fine and pathetick ; but they do not examine the thought with respect to its foundation and consistency. Plutarch had said to Flechier : " You have said a fine thing ; but all it wants is application."

It must be owned, that this Criticism is very severe. I must however add, that it could only come from a man of a fine genius, and a great judge of consistency.

But is it real, that the Orator desires the death of the Emperor and the King of Spain ? He condemns

that with ; he disowns it ; and confines himself to vows more conformable to morality and religion, and which are by no means repugnant to the respect due to Potentates, though enemies.

He indeed, though with abundance of reserve, makes a comparison between the Powers then at war with France and the Prince of Turenne, and from that comparison he seems to infer, that the French General was more worthy of living : so that had it been left to the choice and judgment of the Orator, upon whom the thunder ought to have fallen, he would have saved the Marshal Turenne. But what is there injurious to Princes, not only foreigners, but strangers, in a preference founded solely upon personal qualities, and which does not in the least attack the sublime preheminance of crowned Heads. Such an Apostrophe had undoubtedly been wrong-placed at Vienna and Madrid : But it was spoke at Paris.

As to Mr. Turenne's pure intentions, which, says our Author, could only be to serve his King, it is certain in a Monarchical State, that is the principal duty of a General, considered as such. But as a Man and a Christian, he can and ought to unite with his intention of serving his Prince, that of contributing to the re-establishment of peace, and direct his whole conduct to that end with entire integrity, not to be diverted by any view of particular interest. It is this purity and uprightness of intention for peace, that Mr. Flechier seems to have had principally in view, and which he opposes to the conduct of the enemy Princes, who have unfortunately kindled the war.

This passage therefore of Mr. Flechier does not seem " a fine thing without application," and one which is only to be praised by Rhetoricians.

II. At the same time that I think it allowable for me to observe upon an illustrious Author's want of deference for Mr. Rollin, I am afraid I shall appear myself in this tenth Volume to forget the respect I owe him on so many accounts. I begin in it to treat the war of Mithridates anew, which he has related in the Ancient History: and if Plutarch thinks himself obliged to excuse himself to his Readers for venturing to relate the unfortunate expedition of the Athenians against Sicily after Thucydides, the situation I am in, with respect to Mr. Rollin, makes it a much more indispensable duty for me at least to give the publick an account of the motives of my conduct.

My first inclination was no doubt to respect a subject already executed by my Master, and to take all the advantage from his riches that I possibly could. This plan was at once both the most modest and the safest. I might securely have relied upon the approbation of the Publick, at least for the borrowed passages, that it has already received so favourably. But I thought, that by observing such a conduct, I should present the Publick with what it already possessed: and I assured myself that it was meritorious to do otherwise, even though not so well.

Besides which, it could not be required of Mr. Rollin, to treat the subjects he had already related, as they occurred, in a new manner. The same person has often but one way of considering an object. It would be but a superfluous kind of fecundity, and worthy only of the Schools, to pique oneself upon performing two quite different works upon the same Historian. But as for me, to whom the subject is entirely new, I might be accused of sloth, if I chose rather to take it done to my hand, than to work upon it myself.

These considerations had already made a great impression upon me, and the opinion of friends I have reason to respect finally determined me.

I therefore give here the beginning of the War of Mithridates, treated in my own manner, and I shall do the same in respect to the other common subjects of the Ancient and Roman Histories.

I only intreat, that I may not be compared with my Master; and if my work, considered in itself, be so fortunate not entirely to displease, that nothing more be required at my hands, and that I may not be reproached for not having done better than was in my power.

T H E

R O M A N H I S T O R Y.

BOOK THE THIRTY-FIRST.

Continued.

S E C T. II.

Marius's jealousy of Sylla rises to excess on the occasion of a present made by Bocchus to the Roman People. Both are ambitious of commanding in the war against Mithridates. Marius is supported by P. Sulpicius. That Tribune's character. The Senate, having given Sylla the command of the war against Mithridates, Sulpicius endeavours to make the People transfer it to Marius. Sedition upon that occasion. Marius prevails, and has the employment he desired conferred upon him by the People. Sylla marches with his army against Rome. Perplexity of Marius. Deputations sent by him to Sylla in the name of the Senate. The latter seizes Rome. Marius flies. Sylla prevents Rome from being plundered. He reforms the government, raises the authority of the Senate, and depresses that of the People. He causes Marius, Sulpicius, and ten other Senators, to be declared enemies of the publick. Sulpicius is taken and killed. Flight of Marius. Sylla's moderation. He suffers Cinna to be elected Consul. Marius's party resume courage. The Consul Q. Pompeius is killed by his seldiers.

CORNELIUS, POMPEIUS, Consuls.

Cinna, in order to force Sylla to quit Italy, causes him to be accused by a Tribune of the People. He endeavours to have Marius recalled. To succeed in that view, he undertakes to mingle the new citizens with the old tribes. Sedition on that occasion. Cinna is driven out of the city. He has Sertorius with him. Cinna is deprived of the Consulship, and Merula appointed in his stead. He gains the army which was in Campania. He conciliates the States of Italy to his interest. Perplexity of the Consuls. Marius returns into Italy, and is received by Cinna. They march against Rome. Pompeius Strabo comes at last to the aid of Rome. Battle, in which one brother kills another. The Samnites join Cinna's party. Death of Pompeius Strabo. Hatred of the public for him. Marius offers Octavius battle, who dares not accept his defiance. Deputies sent to Cinna by the Senate. Merula abdicates the Consulship. New deputation to Cinna. Council held by Marius and Cinna, wherein the deaths of those of the contrary party are resolved. Marius and Cinna enter the city, which is given up to all the horrors of war. Death of the Consul Octavius. Death of the two brothers L. and C. Caesar, and of the Crassi, father and son. Death of the orator M. Antonius, Catulus, and Merula. Horrible slaughter at Rome. Cornutus saved by his slaves. Humanity of the Roman People. Lenity of Sertorius. New cruelties of Marius. His death. Scævola wounded with a dagger at the funeral of Marius. Reflexion upon the character of Marius, and his fortune. Reflexion upon the state of Rome.

A. R. 664.
Ant. C.
88.

L. CORNELIUS SYLLA,

Q. POMPEIUS RUFUS.

DURING the Consulship of Sylla, the enmity between him and Marius was carried to the highest excesses, and became a war in form. Two years before, swords were very near being drawn upon the occasion of a present made by Bocchus to the Roman

Roman People. It was statues of victory carrying trophies, and attended with a group of gold, that represented Jugurtha delivered up to Sylla by Bocchus. These statues were placed in the Capitol: which piqued Marius's jealousy. He could not suffer that Sylla should ascribe to himself the glory of having terminated the war with the King of Numidia. He was for having the statues removed from the Capitol, which Sylla opposed. The friends of both had already drawn up around their leaders; and were upon the point of coming to blows, when the war of the Allies, which broke out at this juncture, forced the two factions to unite, at least for a time, against the common enemy.

A. R. 664.
Ant. C.
88.
Plut. in
Mar. &
Sylla.
Appian.
Civ. l. 1.

This ill-extinguished fire broke out again as soon as the danger was over. A new subject engrossed the thoughts of the two heads of party: this was the command of the war against Mithridates, of which both were ambitious, as an occasion of acquiring great glory and riches, without much danger. In Sylla, that desire had nothing extraordinary, and contrary to reason. He was still in the vigour of life, being then nine-and-forty; he had lately done great services, and signalized himself exceedingly in a difficult, dangerous, and disagreeable war. In a word, he was Consul, and in that capacity actually General of the Roman armies; so that he had a just right to appropriate the first and most glorious province to himself.

Marius had no other titles but his ambition and avidity, passions that never grow old. He could not bear to be considered in the Commonwealth, like those old rusty arms, to use Plutarch's words, that are never intended for farther use. Having none of the talents that could distinguish a citizen in time of peace, and desiring to shine at any price whatsoever, he languished after war, and did not consider any of the reasons that rendered him incapable of it for the future. He was then not much less than seventy years old: he was become excessively gross and heavy: it was not long since he had been forced by the infirmities

A. R. 664.
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88.

mities of age to renounce a neighbouring war, of which he could not support the fatigues. And now he ardently desired to cross the seas, and carry the war to the extremities of Asia. To remove the idea himself had given of his decay, he went every day to the field of Mars to exercise amongst the youth, and affected to shew, that he had still both agility to handle arms, and vigour to keep a good seat on horseback. Some applauded him: but * the most sensible pitied the blindness of a man, who from poor being become rich, and from a mean and obscure birth having raised himself to the highest greatness, did not know how to set bounds to his fortune, nor enjoy his reputation and opulence in quiet; but, as if he had wanted every thing, was anxious to transport, from the arms of glory and triumphs, a cold and heavy old age into Cappadocia, and beyond the Euxine sea, to make war with the Satrapæ of Mithridates. He endeavoured to hide this eager desire under a specious pretext, by giving out, that he proposed to instruct his son in person in the art of war. But no body was deceived by that plausible discourse: the motive that actuated him was known, and every body openly referred him to his country-house and the coast of Bajæ, to drink the hot waters, and cure his fluxions. He really had a most delightful country-house at Misenum near Bajæ, adorned in a luxurious taste, that ill suited a soldier roughly educated, and whose whole life had passed in the fatigues and labours of war.

The advice given Marius was good: but he was far from being inclined to follow it. On the contrary, resolving to pursue his point with vigour, he drew P. Sulpicius into his interests, whose good conduct hitherto, sustained by his sublime talents, had acquired

* Τοῖς δὲ βελτίστοις ὁρώσιν ἀκρίβειαν ἐπὶ τὴν πλεονεξίαν καὶ τὴν φιλοδοξίαν, ὅτε πλεονεξία ἐκ πένης καὶ μέγιστος ἐκ μικρῆς γέρας ὅρον οὐκ εἶδεν εὐτυχίας, εἰ δὲ θαυμαζόμενοι ἀγαπᾷ καὶ ἀπολαύον ἐν ἰσυχίᾳ τῶν παρόντων, ἀλλ' ὥσπερ ἐνδεὲς σπάντων, εἰς Καππαδοκίαν καὶ τὴν Εὐξείνιον Πόντον ἄρας ἐκ θριαμβῶν καὶ δόξης ἐκφέρει τισέσθην γῆρας. τοῖς Μιθριδάται σατράπαις διαμαχεμένοι. PLUT. in M. A.

him universal esteem; and who, on a sudden, as if * he had grown weary of being happy with virtue, precipitated himself into the greatest misfortunes, by making himself the most furious Tribune of the People, that had ever been in that office.

P. Sulpicius was a man, says Plutarch, that never had an equal for excess of wickedness: so that it was not to be enquired whether he surpassed others in every kind of vice, but in what kind of vices he exceeded himself. In him were united cruelty, impudence, and insatiable avarice, without remorse, shame, or the least regard to appearances. He publickly sold the freedom of Rome to freedmen and strangers, and kept a bank openly in the Forum for so infamous a traffick. He had under him, or to use the expression in his pay, three thousand men that bore arms; and besides, never appeared in publick but attended by six hundred young Roman Knights, ready to perpetrate any thing, whom he called the Anti-Senate. It is easy to judge what enormous expences this must have cost him. Accordingly, though he himself had passed a law that prohibited any Senator to owe more than two thousand drachmas †, he was found at his death to be three ‡ millions in debt. In a word, to paint him at once, we have only to call to mind what kind of man Saturninus had been. Sulpicius made him his Hero, except that he judged him too timid and circumspect. Such was the Tribune that Marius called in to his aid.

The command of the war against Mithridates had been conferred on Sylla by the Senate, with orders to set out as soon as he should have cleared Campania of some troops of Samnites, that continued in possession of Nola, and its neighbourhood. He had already joined his army, and was successfully employed in pursuing that remainder of rebels. Marius and Sul-

* Quasi pigeret eum virtutum suarum, & bene consulto malè cederent, subito pravus & præceps. VELL. II. 18.

† About 90l.

‡ About 75000l. sterling.

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picius believed his absence a favourable occasion for depriving him by the People of the employment, which the Senate had given him. But it was necessary to begin by conciliating the favour of the multitude. Accordingly, without shewing immediately what they aimed at, Sulpicius proposed a law, that, if it passed, would render him absolutely master in the Assemblies of the People. The design of it was to distribute the new citizens into all the Tribes. This law set the whole city in a flame. The old citizens, with Q. Pompeius at their head, opposed an institution that deprived them of all power and authority to the utmost. Sulpicius was not of a character to recede. He had lived till now in great union with Pompeius. But on this occasion that friendship changed into extreme enmity : things were soon carried to the utmost violences ; and Sylla was obliged to return to Rome to support his colleague, who found himself under the most perplexing difficulties.

The two Consuls having joined, conferred together, and conceived that they had found an assured expedient for eluding the fury of the Tribune without noise or effort. They published a decree, to prohibit all Assemblies of the People and public deliberations, for several days ; in a word, to introduce a general cessation of business, as was the custom on festival days : these are Appian's words. Their view was to gain time, and to proceed calmly in composing the affair.

But Sulpicius did not give them leisure for that : whilst they were * haranguing the multitude before the temple of Castor, the Tribune appeared with his guard armed with daggers under their robes, and with orders to spare nobody, not even the Consuls. He attacked their decree as unjust, and insisted upon its being immediately revoked. On the opposition of the Consuls, a

* It was allowed to harangue the People on festival days, though they were not permitted to proceed to their suffrages.

dreadful tumult arose: the followers of Sulpicius drew their daggers: many of the citizens were killed upon the spot, and amongst others, the Consul Pompeius's son, who was at the same time Sylla's son-in-law. The Consuls, in so great a danger, endeavoured to fly: and Q. Pompeius in effect found means to escape. As for Sylla, it is certain that he entered Marius's house. But the friends of the latter say, that he entered it of himself as an asylum to take refuge there, and that Marius had the generosity to cause him to be conducted out through a back-door. Sylla related the fact quite differently in his Memoirs. He affirmed, that Sulpicius having caused him to be surrounded by his people, with naked swords in their hands, he had in that manner conducted him to Marius's house: and that after such a deliberation as could be held in the like circumstances, he had been compelled to return to the Forum, to annul his decree, and thereby leave the Tribune at liberty to make the People deliberate upon the law he proposed. However it were, in respect to these different accounts, of which the first seems the most probable, Sylla immediately quitted Rome, and went to put himself at the head of his army, which he had left in Campania.

Sulpicius continuing master of the field of battle, caused his law to pass: and immediately unveiling the secret motive of his whole conduct, he proposed to the People to give Marius the command of the war against Mithridates. The thing met with no difficulty; and even the troops actually under Sylla's command were given to him; so that Marius instantly dispatched two legionary Tribunes to take possession of the command of that army in his name.

But Sylla was not so docile as his rival imagined: and resolved to defend his right with force. This plan carried him a great way. The deliberation of the People annulled his title, which was the decree of the Senate. He could not retain the command whilst that deliberation should subsist. His adversaries, who
were

A. R. 664. were the authors of it, ruled all things in Rome.
 Ant. C. 88. Nothing less therefore was the question, than, to march against Rome with his army. The consequences did not terrify him; and indeed the unjust and violent conduct of the opposite faction supplied him with plausible pretexts for assuring himself, that he was going not so much to attack his country, as to deliver it from oppression. But he apprehended that his soldiers would be startled at so new and unheard-of a design, which at first sight must naturally inspire them with horror. He therefore assembled them, and began by giving them an account of the violence done him at Rome, and the injustice now intended to be added, by depriving him of a command conferred by the Senate, and to which he had a right as Consul. He afterwards interested themselves in his cause, by insinuating, that if Marius was charged with this war, they had reason to fear he would prefer other troops to them, and thereby deprive them of the occasion of enriching themselves with the spoils of Asia.

This discourse was received with applause. However, Sylla was afraid to express the design he had formed in clear terms, and contented himself with recommending to them, to hold themselves in readiness to execute the orders which it should be necessary to give them in the present situation of affairs. The soldiers perfectly comprehended his meaning, and cried out, that he should lead them directly to Rome, and they would cause justice to be done him. This was what Sylla expected: the thing was resolved and executed that moment; and then, for the first time, a Roman Consul was seen marching against Rome with an army. Marius's Tribunes having presented themselves, were stoned to death. However, all the General officers that served under Sylla, abandoned him to a man, out of respect for the name of their country, and not being able to resolve to turn its own arms against it. Only his Quæstor continued with him.

Marius and Sulpicius having received advice of the death of the two Tribunes, used reprisals upon Sylla's friends

friends at Rome. Thus both sides crossed each other; and whilst some quitted Sylla's camp to return to the city, others fled from the city to seek refuge in it.

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But these reprizals did not advance Marius's affairs, who was in a cruel perplexity. Sylla advanced at the head of six legions, amounting to thirty thousand foot, and six thousand horse. He was also supported by his Colleague, who had quitted his retreat to join him, thereby uniting the whole authority of the Consulship. Though Pompeius had brought with him only his name, that was no inconsiderable reinforcement: and Sylla laid so much stress upon this concert between them, that he ascribed it in his Memoirs to the protection of the gods, and that singular good fortune which attended all his undertakings. Marius had the Senate for him, which he actually in a manner kept in captivity. For that body then made little or no resistance against violence, and almost always submitted to the yoke of the strongest. Accordingly, he made the Senate send deputation upon deputation to Sylla; at first to demand what motive induced him to advance in that manner with an army against Rome; and afterwards to forbid him to do so. Sylla contented himself with answering such as questioned him, that he was going to deliver his country from the tyrants that oppressed it. But the Prætors, Brutus and Servilius, who were charged with more severe orders, having undertaken to speak with haughtiness and a tone of authority, Sylla's soldiers, who perfectly knew how to set them at work, and concealed his game under their emotions, fell upon them, broke their fasces, put their Lictors to flight, and stripped themselves of their robes (*Prætextæ*;) so that the Prætors thought themselves very happy in escaping with their lives; denouncing at Rome, by the sad condition in which they appeared, the fury of the soldiery and the extreme danger of the city.

Marius was therefore under the necessity of having recourse to prayers: and new Deputies were sent from
the

A. R. 664. the Senate to implore Sylla to advance no farther with
 Ant. C. his troops against the city, and to wait till some meth-
 88. od of reconciliation should be found; promising him at the same time that he should have reason to be satisfied. He declared, that he was disposed to act as they desired, and even in the presence of the Deputies, ordered the proper officers to mark out a camp. But with a perfidy not excusable even in a war with a stranger, the Deputies had no sooner turned their backs, than he continued his march, and arrived before Rome at an instant when he was least expected.

As he appeared as an enemy, he was received as such by the inhabitants; and besides the soldiers whom Marius and Sulpicius had been able to assemble in haste, the whole multitude getting upon the housetops, poured such an hail of stones and tiles upon Sylla's troops, as prevented them from advancing. Sylla upon that made no difficulty of crying out to his people to set fire to the houses; and himself, taking a lighted torch in his hand, set them the example; at the same time he ordered his archers to discharge their fire-arrows: acting, says Plutarch *, like a madman, who had lost his senses, and suffered himself to be absolutely swayed by passion, as forgetting his friends, relations, and adherents, he had no thoughts but of his enemies; and employed fire, which can make no distinction between the innocent and the guilty.

Marius had not sufficient forces to oppose an army. He made the utmost efforts: he called in to his aid both the citizens that were in the houses, and even the slaves, to whom he promised liberty. But all was in vain; and only three slaves suffered themselves to be tempted by his promises. He therefore retired to the Capitol: and seeing that he was upon the point of being forced there, he quitted the city with Sul-

* Κατ' ἐδένα λεγισμὸν, ἀλλ' ἐμπαθὲς ὦν καὶ τῷ θυμῷ παραδεδωκὸς τὴν τῶν πορισσομένων ἡγεμονίαν, ὅστις τέος ἔχθρὸς μόνον ἴσται, φίλους δὲ καὶ συγγενεῖς καὶ αἰετοὺς εἰς ἐδένα λόγον θύμηνται· ἐδ' αἰετοὶ, καλῶς δια πυρὸς, ἢ τῶν αἰτίων καὶ μὴ διαζωτίς αὐκ' ἦν. PLUT. in Sylla.

picius and some others, leaving Sylla victorious. This was the first battle in form fought in Rome between the citizens; no longer in the manner of a tumultuous sedition, but to the sound of trumpets, and with ensigns flying, as between enemies.

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Sylla used moderation with his victory. When master of the city, he saved it from being plundered: and having observed some soldiers who pillaged contrary to his orders, he caused them to be punished that instant, and upon the spot. He planted guards in all the important posts; and himself and his Colleague passed the whole night in visiting all the quarters, to prevent the terror of some, and the boldness of others, from occasioning any disorder.

He did not content himself with having put an end to the troubles excited by Marius: he resolved to prevent such as might revive in the sequel; and by reforming the government, to secure, if possible, the tranquillity of the Commonwealth. The plan which he followed in this reformation was, to exalt the authority of the Senate and Nobility, and to diminish the power of the People, whose temerity and caprice had long occasioned such great calamities. He therefore assembled the People, and after having deplored the sad necessity to which the injustice of his enemies had reduced him, he deplored the unhappiness of the Commonwealth, given up as a prey to perverse men, who by flattering the multitude for their own interest, frequently seduce them to take measures most repugnant to the publick good. To remedy this inconvenience, which drew so many others after it, he first revived an ancient custom, which had been abolished for some ages, and decreed, that nothing should be proposed to the People, that had not first been deliberated and approved by the Senate. In the second place, he made another very important change, which was, that for the future the People, instead of voting by Tribes, should vote by Centuries. The difference was great. The division of the Tribes having been made according to the quarters of the city, or districts

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of the country inhabited by the citizens, every thing was confounded in them, the noble with the mean, the rich with the poor: and as the number of the latter is always the greatest, the mean people bore the sway in the Tribes. On the contrary, the distribution by Centuries had the difference of the riches each person possessed for its foundation: and that distribution had been managed in such a manner, that the rich alone formed a majority of Centuries, and consequently had more voices than the whole multitude of the poor.

The changes introduced by Sylla already very much lessened the authority of the Tribunes. He made still further breaches in it, which History has not circumstantiated. But it was during his Dictatorship, that he gave the Tribunitian Power the greatest blow, as we shall say in its place.

And lastly, he caused to be cancelled and annulled, as contrary to the Laws, all the Decrees Sulpicius had passed since the vacation prescribed by the Consuls, and thereby reinstated himself in full and legal possession of the command of the war against Mithridates.

Val. Max.
iii. 8.

It now only remained for Sylla to satiate his revenge. He assembled the Senate, and proposed to declare the two Marii, father and son, Sulpicius, and nine other Senators, their principal adherents, enemies to their country. Every thing trembled before the Consul. However, Q. Scævola, the Augur, father-in-law of young Marius, ventured to oppose him. He at first refused to give his opinion. Then, as Sylla urged it, that venerable old man being forced to explain himself, did so with all possible courage and constancy: "Neither these soldiers," said he, "with whom you have surrounded the Senate, nor your menaces frighten me. Do not think that to preserve the feeble remains of a languishing life, and of a blood frozen in my veins, I can declare Marius an enemy to Rome, by whom I remember, that the city of Rome, and all Italy have been pre-
served."

“served.” Scævola’s example was admired, but it found no followers. The decree of the Senate was conformable to the Consul’s proposal, and it was, A. R. 664. Ant. C. 88. Appian.

“That the two Marii, Sulpicius, P. Cethegus, Junius Brutus, the two Granii, Albinovanus, Lætorius, Rubrius, and two others expressly mentioned, but whose names are not come down to us, for having excited a sedition, made war upon the Consuls, and called in the slaves to liberty, were declared enemies of the public; that in consequence, all persons should be permitted to fall upon, kill, or bring them to the Consuls; and that their estates should be confiscated.” It appears, that there were also rewards promised to such as should bring in their heads. But it is not said, that this promise was included in the decree of the Senate.

To execute this bloody resolution, Sylla dispatched soldiers in pursuit of those he had just caused to be condemned. Sulpicius soon fell into their hands, having been discovered by one of his slaves. The head of that unfortunate Tribune was brought to Rome, and set up on the Tribunal of Harangues; a sad presage, says Velleius, of the proscription that followed soon after. For the rest, Sylla on this occasion did an act of justice. As in the decree he published to notify the resolution of the Senate, he had promised liberty to such slaves as should discover any of the persons nominated in it, the traitor who had delivered up Sulpicius was declared free: but immediately, with the hat, the symbol of liberty, and the reward of his crime, he was, by Sylla’s order, thrown down the Tarpejan rock.

As to Marius, the circumstances of his flight would supply matter for a very entertaining story: On quitting Rome, all who accompanied him having dispersed, he retired with his son to a country-house which he had near Lanuvium. His design was to gain the coast, and to quit Italy. But as he had no provisions, he sent his son to an estate of his father-in-law Scævola’s, which was in the neighbourhood, in order

Plut. in Mar.

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that he might get there all that was necessary for the voyage. Whilst young Marius was making his preparations, the night passed; and it being light, horsemen were perceived afar off, who suspecting an house so nearly allied to Marius, were advancing thither to search it. But Scævola's farmer or steward, as faithful as his master was generous, hid the fugitive in a waggon full of beans; and driving it towards Rome, passed through those who were seeking Marius, and suffered him to go on without the least suspicion of the fact. In this manner young Marius entered the city, and the very house of his wife, where having provided himself with every thing he wanted, he happily quitted Rome; and with regard only to himself, got to the sea, embarked, and arrived in Africa.

His father was not so fortunate. From his first place of retreat, where he could not remain long undiscovered, he went to Ostia; and there finding a vessel, which one of his friends had provided, he went on board with Granius his son-in-law. This bark seems to have been a very small one, and perhaps was a kind of packet-boat*, with which Marius coasted along the shore, having at first a fair wind. But the wind soon freshening, the sea became tempestuous; and the mariners finding it difficult to work the vessel, and apprehending it could not resist the storm, resolved to land. Marius forbade it, because they were near Terracina, where he had a powerful enemy, called Geminius. In a word, the bad weather not ceasing, and Marius besides being violently sea-sick, which is common with those not much accustomed to that element, he was obliged to give way to necessity, and was landed with all his company.

They did not know what to do, nor whither to turn themselves. Every thing was against them: the land, where they apprehended being surprized by the enemy; the sea, because it continued stormy. To

* Plutarch calls it *αρογγομένη*.

meet any body was matter of dread; and not to do so, was to want an absolute necessary aid; for their provisions were exhausted, and they began to suffer from hunger. In this distress, they perceived some shepherds, to whom they went to ask some relief. But those poor people had nothing to give them. Only knowing Marius, they advised him to fly as soon as possible, because they had seen horsemen a little before in quest of him. He therefore quitted the high road, and went into a thick wood, where he passed the night very indifferently, and the more so, as those who were with him were tormented with hunger, and in consequence much out of humour. As for him, though weak, and exhausted with want and fatigue, he had still spirit enough to encourage others. He exhorted the companions of his flight not to renounce his last remaining hope, for which he reserved himself: that was a seventh Consulship, which he pretended the Fates had certainly decreed him. And on this occasion he related to them a fact, or a fable, better adapted than the best reasons to inspire confidence in superstitious minds.

He told them, that when he was a child, he saw an eagle's nest falling, and caught it in the skirt of his robe; that there were young eagles in it: and that his father and mother having consulted the Augurs upon that event, which seemed a prodigy to them, they were answered, that their son should be the most illustrious of mankind, and should possess the supreme authority seven times. However this fact may be, of which the naturalists contest the possibility, affirming that eagles never breed more than two young ones at a time, or three at most, we know what to conclude in respect to such pretended omens, the baits of impostors, and amusement of fools. But Marius had great faith in them, and it is certain, that in his flight, and greatest extremities, he often spoke of the seventh Consulship, to which he was destined by the gods.

Fin. v. 3.

CORNELIUS, POMPEIUS, Consuls.

Whilst he wandered with his troop of fugitives upon the sea-side, not being far from Minturnæ, a place situated at the mouth of the Liris *, they perceived a troop of horsemen coming towards them. At the same time, casting their eyes towards the sea, they saw two merchant-ships, their only resource in so extreme a danger. Every one made the best of their way towards the sea, threw themselves into it, and endeavoured to gain the two vessels by swimming. Granius, with some others, got to one of those ships, and in it to the isle of Ænaria †. Marius was old and heavy : and it was not without great difficulty, that two slaves kept him above water to the other vessel, into which he was received. In the mean time, the horsemen arrived on the shore, and called out to the mariners, either to land Marius, or throw him overboard, and go on where they pleased. Marius weeping, implored the pity of the masters of the ship, who, after some deliberation, much perplexed and uncertain how to act, at length moved by the tears of so illustrious a suppliant, answered the horsemen, that they would not deliver up Marius; upon which they retired in a great rage.

Marius believed himself out of danger. He did not know, that he was destined to suffer more cruel difficulties than he had hitherto experienced, and to have a nearer view of death. Accordingly the generosity of those who had given him an asylum in their ship, was not of long duration : they were seized with fear, and having approached the land, cast anchor at the mouth of the Liris. They then proposed landing to him, in order to take a short repose after such long fatigues. Marius, who distrusted nothing, consented to it. He was carried ashore to a place where there was grass. But whilst he continued there at ease, without any thoughts of impending misfortune, he saw the ship weigh anchor on a sudden, and set sail. Those merchants, like the generality of

* Garigliano.

† Ischia.

mankind, were neither wicked enough to do ill, nor good enough to do well at the hazard of danger. They had been ashamed to deliver up Marius, but they did not believe it safe to preserve him.

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In what a deplorable state was Marius, when he saw himself upon the shore alone, without aid, without defence, and abandoned by all the world? He however did not abandon himself; he got up; and as the Liris, which in that place overflows the lands, forms marshes, with incredible fatigue he crossed ditches full of water, and muddy grounds, and at length came to a poor wood-cleaver's cottage. He threw himself at his feet, and conjured him to save a man, who, if he escaped danger, would reward him beyond his hopes. The peasant, whether he knew him, or was struck with the loftiness and majesty of his appearance, which his misfortunes had not effaced, answered, that if he only wanted rest, he might find it in his cottage; but if he fled from enemies, he would shew him a safer retreat. Marius having accepted the last offer, the man conducted him to a hollow place near a marsh, where he covered him with leaves, reeds, and rushes.

May I be allowed here to desire the reader to consider Marius attentively in the deplorable state we see him at this moment? What might then be his thoughts? How much ought he to have abhorred a fatal ambition, that from the height of greatness and glory, had plunged him into an abyss of misery, below the condition of the meanest of mankind? And what a lesson is this to those, who are never contented with their condition, and who imagine they want all things, when a single object is wanting to their insatiable avidity!

Marius had not leisure to entertain himself long with such sad reflexions. For he soon heard a great noise on the side next the cottage. It was made by horsemen sent by Geminus of Terracina, his enemy, who having met the woodman, questioned, pressed, and menaced him for concealing an enemy of the

A. R. 664. publick, condemned to die by the Roman Senate.
 Ant. C. Marius had no resource left. He quitted his retreat,
 88. undressed himself, and plunged into the black and muddy water of the marsh. That dirty asylum could not conceal him. His pursuers ran to him, and having drawn him out of the water naked and all covered with mud, they put a cord about his neck, and dragged him immediately to Minturnæ, where they delivered him to the magistrates. For an order was arrived in all the cities of Italy to seize and kill him wherever he should be found.

However, the magistrates of Minturnæ resolved previously to deliberate, and left their prisoner in the house of a woman called Fannia, and who long had reasons to owe him no good will. The thing was as follows: Fannia having been separated from her husband Titinius, demanded the restitution of her portion. Titinius refused to restore it upon account of her bad conduct: and that was matter of fact. The affair was carried to Rome, and brought before Marius, then Consul for the sixth time. He examined into the merits of the cause, and found that Titinius knew the character and loose conduct of his wife before he married her, which he had however done for the sake of her fortune. Marius in consequence equally disliking both, sentenced the husband to make restitution of the portion, and laid a small, but disgraceful fine upon the wife. Fannia, however, acted with generosity in the occasion Marius had for her aid. She served him with all imaginable zeal, and even endeavoured to console and encourage him. He answered, that he had great hopes, and those in effect of an omen so puerile and ridiculous, that it is not possible to read it without feeling shame and pity for human stupidity. He told her, that as he was bringing to her house, an ass came out of it running, and having stept before him, looked on him in a manner that expressed gaiety, then brayed in a joyous tone, and afterwards leaping and prancing, ran by him to drink at a spring just by. Thus the gaiety of an ass's motions

motions encouraged a person who had been six times Consul: and he farther inferred, as the animal on quitting him went to seek water, that it was by water the gods intended he should be preserved; and that he should pass the sea to refuge himself from the dangers that threatened his life. Full of confidence in effect of this fine reasoning, he desired to repose, and having laid himself upon a bed, he caused the door where he was to be shut.

The deliberations of the Magistrates and Senate of Minturnæ had not been long, and they had resolved to obey. But not a single citizen could be found who would charge himself with that odious execution. A stranger, a Gaul or Cimber by birth, was sent to kill Marius, and entered the chamber sword in hand. The bed on which Marius lay, was placed in a very dark nook. From the midst of that obscurity he cast a fierce look on the Barbarian, his eyes seeming to flash with fire, and at the same time cried out to him with a terrible voice: "Wretch, dare you kill C. Marius?" This was like a stroke of thunder to the soldier, who immediately fled, throwing down his sword and crying out, "I cannot kill Marius."

This example not only astonished, but moved the people of Minturnæ with compassion. They reproached themselves with having been more barbarous than that Barbarian, and with having been guilty of cruelty and ingratitude against the preserver of Italy, whom it was even shameful not to defend. "Let him escape, said they, let him escape, and fulfil elsewhere his unhappy destiny. Alas! we have but too much reason to pray the gods to forgive us the involuntary fault we commit, in sending Marius away from our city without defence and assistance." They entered the house where he was in throngs, and surrounded and conducted him to the sea. Every one was eager to express his zeal, by carrying to the vessel appointed for him the necessary provisions. But one obstacle retarded their march, and made them lose time. Upon the way, between the city and the sea,

A.R. 664. was a wood consecrated to the nymph Marica, in respect to which they observed this superstitious custom, never to carry any thing out of it that had once been carried in. In consequence, it was necessary to take a great compass, which their impatience supported with difficulty. At length an old man having cried out, that every way was good, and allowed by the gods for saving Marius, he ventured first to cross the wood, and was followed by all the rest. Every thing was soon ready, and Marius embarked in a very small vessel, in the midst of the vows of the Minturnenses, who lifted up their hands to heaven, and implored the gods to take that great man under their protection.

Afterwards, when he returned to Italy, he caused this whole adventure to be painted, and placed the picture in the temple of Marica.

From Minturnæ Marius went to the isle of Ænaria, where he rejoined Granius. From thence they both took the route of Africa: but as they were in want of water, they were obliged to anchor in Sicily, on the side of Mount Eryx *. Ill-fortune pursued our fugitive every where. The Quæstor of the province happening to be in those parts, fell upon Marius's people, who landed to take in water, killed eighteen of them, and was very near taking Marius himself. This obliged Marius to reembark as soon as possible, and to steer for the isle of Meninx †, where for the first time he received news of his son. He heard, that having escaped with Cethegus, one of the twelve included in the decree of the Senate, he had retired to the court of Hiempsal, who reigned over part of Numidia: that Prince was probably one of Masinissa's posterity, and was indebted for the states he possessed to Marius, who had established either himself or his father in them, after the defeat and taking of Jugurtha. This gave young Marius reason to hope, that he should find an assured asylum near the

* Now called Monte di San Guiliano, or di Trapani.

† Now called Isle des Gerles, or di Zerbi.



H. Gravelot delin. et sculp.

MARIUS setting on the Ruins of
CARTHAGE.

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person of that Numidian : and old Marius also a little encouraged by the same thought, ventured to remove from the island of Meninx into the province of Carthage.

The Roman magistrate who commanded in that province, never had any particular concern with Marius, nor received either good or bad from him. And as the man was in a state of indifference with respect to him, it seemed that humanity alone and natural compassion ought to move him in regard to the fate of so great and so illustrious a person. But it is but too common to despise the unfortunate. Marius had scarce landed, when one of the Prætor's officers came to him, and said in a menacing tone, " The Prætor Sextilius forbids you to set foot in his province. If you do not comply with his orders, he declares to you, that he is resolved to execute the decree of the Senate, and to treat you as an enemy of the publick." Marius was seized in such a manner with surprize, indignation, and grief, that he continued very long without saying any thing, with his eyes fixed on the person who brought him this message. On the officer's pressing him, and asking what answer he should carry back to the Prætor; " Go," said he, " tell him who sent you, that you have seen Marius a fugitive, and sitting upon the ruins of Carthage." That answer was an excellent lesson upon the instability of human things; uniting under the same point of view, the destruction of one of the most powerful cities of the world, and the ruined fortune of the first of the Romans. Marius made no haste to execute the Prætor's order: and he was still about Carthage when his son joined him, who had been obliged to fly from Hiempfal's dominions.

For that Prince, more sensible to the fear of a present evil, than to gratitude for a past benefit, was perplexed about his suppliant. He rendered him honours, but kept him against his will, and prevented him from quitting his kingdom. That conduct gave
the

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88.

the Roman great disquiet; who plainly saw that the King's pretexts for detaining him had nothing sincere in them, and betokened no good to him. To extricate himself, he took advantage of an occasion that offered, without his having conceived any thoughts of cultivating it. He was young and well made. The danger that threatened him moved one of the King's mistresses with compassion: and soon, as the transition is very easy, she proceeded from pity to love. Marius at first rejected her with disdain. But when, on the one side, he perceived that he had no hopes of flight but by her means, and on the other, that the sentiments of that woman had something much above a foolish and blind passion, he reposed a confidence in her, and found the good effects of it. For by her assistance, himself and his friends escaped out of the hands of a Prince, to whom a commodious treachery would perhaps not have cost much.

He rejoined his father, as I have said, near Carthage, and it was no doubt a great joy both to the father and son to meet after a separation attended with so many dangers. As they were walking along the coast, Marius saw two scorpions fighting. He valued himself upon his skill in the pretended art of divination. He judged this a bad omen, and concluded from it that they were threatened with some danger: as if common sense alone, without the interposition of scorpions, did not suffice to inform him, that they had cause to fear both from the timorous policy of Sextilius, and the resentment of Hiempsal. In consequence, they threw themselves into a fishing-boat, which carried them to the isle of Cercina*. And they set out in time: for they had scarce got on board, when they saw some Numidian horse appear, sent in pursuit of young Marius by Hiempsal. This was not the least danger they sustained: but it was the last. They passed the remainder of the winter quietly enough in the islands of the African sea,

* Cercare.

waiting some favourable event that might enable them to return to Italy.

A. R. 664.
Ant. C.
88.

Sylla in the mean time regulated every thing at Rome with abundance of moderation. He perceived, that his conduct in respect to Marius had displeased many of the Senators, and all the people in general. Instead of being enraged at it, he chose to take pains for conciliating favour, by a very popular and very mild conduct. On holding the Assemblies for the election of the Magistrates for the ensuing year, he suffered both his nephew Nonius and Ser. Sulpicius, whom he supported with his recommendation, to undergo a repulse. He even said on that occasion, that he was glad to see the people use the liberty he had restored to them. Through the same spirit of moderation, he did not prevent L. Cornelius Cinna, from being elected Consul, who was of the opposite faction to his, though a Patrician, and his own relation. He only took the precaution to carry him to the Capitol, and there to make him take an oath, that he would act nothing contrary to his interests. Cinna took the oath prescribed him in the presence of many witnesses, and holding a stone in his hand, he implored Jupiter, if he failed in his engagements, to drive him out of the city, as he threw that stone out of his hand. It is surprizing that Sylla could repose any confidence in the oaths of an ambitious man. He however did not so entirely trust in them, as not to use the farther precaution of giving him Cn. Octavius for colleague, a man of worth, and a lover of peace and good order, but too mild to oppose one of his violent character. Sylla had soon reason to repent these measures: and if any thing can palliate the horror of the cruelties he afterwards committed, it is the bad success of the lenity with which he acted on the present occasion.

Accordingly, as soon as his troops had quitted Rome, to wait for him in Campania, and whilst he was still Consul, the partisans of Marius began to stir for the recal of the exiles: and the first step they took to effect it was, to lay snares for the lives of the Consuls.

A. R. 664. Consuls. Sylla had least to fear, having an army
 Ant. C. 88. that might be employed for his defence, even after
 the expiration of his Consulship. Pompeius conceived he had obtained a like security, by causing the command of the troops at Picenum to be given him, at the head of which then was Cn. Pompeius Strabo, in quality of Proconsul, finally to reinstate the tranquillity of the country. But the Consul thereby only hastened his death.

Strabo at first feigned to receive him with respect, when he came to take upon him the command of the army, and retired, as being only a private person. But the next day a sedition, excited by the ambitious Proconsul, delivered him from his competitor: and for the first time (the times we are now come to abound with crimes unheard-of before) a Roman army embrues its hands in the blood of their Consul. Strabo having afterwards shewn himself to the soldiers, affected abundance of anger: but he was soon appeased: his sudden reconciliation with the murderers discovered him; and all Historians ascribe the Consul's violent death to him, who was besides his near relation. The Senate, which in such perilous times as these, had less power than the soldiers, was obliged to let this crime pass with impunity. Sylla less intent upon avenging his colleague's death, than providing for his own security, assembled his friends, and prevailed upon them to keep guard round his house and person, as long as he should be obliged to continue in the city: and as soon as it was possible he quitted it, and went into Campania to put himself at the head of his army.

A. R. 665.
 Ant. C.
 87.

CN. OCTAVIUS.

L. CORNELIUS CINNA.

Dio. apud
 Vales.
 Plut. in
 Sylla.

Cinna was hardly in office when he shewed how much Sylla had been in the wrong to place any confidence in him, and to believe him capable of having any regard to his oath. He had nothing so much at heart

heart as to press him to set out; alledging for his reason the necessity of putting a stop to the progress of Mithridates; but in reality to rid himself of such an inspector, in order to be at full liberty for the execution of his own schemes. Sylla for the same reason was in no haste. The Consul, to put an end to his delays, contrived to have him accused by the Tribune M. Virgilius. Those who were employed in the service of the Commonwealth, were exempted by a law from this kind of prosecutions. Sylla accordingly leaving both the Consul and Tribune to themselves, put to sea, and arrived in Greece. I shall give an account of his exploits against Mithridates in the sequel.

Cinna no sooner saw himself disengaged from the sole obstacle that checked him, than he began to labour the recal of Marius. His turbulent and restless spirit could not endure repose and tranquillity. Besides which, a frantick ambition made him desirous of rendering himself master of the Commonwealth. And lastly, with these motives united three hundred talents*, which were given him by the partisans of Marius. It is from Appian we have this last fact, who a little before had observed, that very rich persons, of both sexes, interested themselves for that illustrious fugitive.

Cinna then took his cause in hand, and seemed at the same time to assume his spirit. For he took care to disguise his aim, and to proceed to his end by indirect means. He did not manifest at first his design to reinstate the exiles; but he undertook to revive the law passed by the Tribune Sulpicius, for introducing the new citizens into the old Tribes, in all its force. Upon this signal an infinite multitude of those new citizens flew to the city; and Rome again became the scene of a furious division; the old citizens opposing with no less vigour than they saw themselves attacked. Each of the parties had a Consul at its head; and

* Three hundred thousand crowns.

A. R. 665. both took up arms. Cinna, as he was the most au-
 Ant. C. dacious, employed them first.
 87.

The majority of the Tribunes of the People opposed the Law. There was no going farther without recourse to violence. Accordingly that moment swords were seen glittering, and a multitude of the seditious with Cinna, at the head of them, fell upon the opposing magistrates, to drive them from the Tribunal. Octavius then, round whom the old citizens, and all that were for the publick tranquillity, had ranged themselves in arms, entered the Forum, attacked the factious, divided them into two bodies, and dispersed them: then, out of respect for the consular dignity in Cinna, and not inclining to come to blows with his Colleague, he turned towards the temple of Castor. But those who accompanied him, did not imitate his timorous circumspection. They pushed their advantage, killed a great number of the adversaries, and drove the others fighting to the gates of the city. Cinna, who was superior in number, amazed to see himself overcome, had recourse to the last refuge of the desperate. He called in the slaves to his aid upon the promise of liberty. But that was ineffectual: no body joined him, and he was obliged to abandon the city, and retire into Campania. The battle had been very bloody. Cicero affirms, that the Forum swam with the blood of the citizens, and was quite filled with heaps of dead bodies: and Plutarch makes the number of those only, who perished on Cinna's side, amount to ten thousand.

Cic. in
 Catil. III.
 14. & pro
 Sext. 77.

Plut. in
 Sertor.

He carried away some Senators with him, of whom Sertorius was undoubtedly the most illustrious. Unhappy circumstances for that great man had thrown him into this party. His birth itself seemed to incline him to it: and as a new man, in a division between the Nobility and the People, it was natural for him to attach himself to the Plebeian faction. Besides which, we have observed, that he had served under Marius in the war with the Cimbri, and had received from him many proofs of his esteem; and

that

that was a farther engagement. But what finally determined him was, that having stood for the Tribuneship, Sylla had caused him to be excluded.

A. R. 665.
Ant. C.
87.

Freinshemius conjectures, with great appearance of reason, that besides the ties between Sertorius and Marius, Sylla, who was for depressing the Tribunitian power, conceived it contrary to his views to suffer that office to be conferred on a man of bravery, and one who in his youth had acquired great reputation for the talent of speaking. It was this combination of circumstances that drew Sertorius into the unfortunate party, and in consequence, made his whole life a series of disgraces. His misfortunes did not in the least diminish his glory. But had it not been for that unfortunate engagement, he had talents, greatness of mind, and military abilities, capable of making him the first person of the Commonwealth: whereas he was obliged during his whole life to employ so many virtues against his country, and at last to perish miserably by the treachery of his friends. A great lesson, that ought to make persons very cautious in their first steps, which are often taken inconsiderately enough in youth, and afterwards give the bias to the whole series of life.

The Senate proceeded juridically against Cinna, and declared the office of Consul, which he occupied, void as well by desertion, as for the crime of having called in the slaves to liberty; an * affront Cinna well deserved; but a precedent that might have very pernicious effects. They substituted to him L. Cornelius Merula, who was the Priest of Jupiter, *Flamen Dialis*.

Cinna, driven in this manner to extremities, had no resource but in the soldiery. As the peace of Italy was not entirely re-established, and the Samnites continued still in arms, the Romans also had different armies on several sides, and one actually in Campania, under the command of Ap. Claudius. Cinna having gained

* Hæc injuria homine quàm exemplo dignior fuit. VELL. II. 20.

A. R. 665.
Ant. C.
37.

the principal officers of that army, entered the camp, and the soldiers having assembled around him, he dismissed his Lictors, as being only now a private person. At the same time, shedding tears in abundance, he addressed himself thus to the multitude: "Dear Fellow-citizens, I received from you the first dignity of the Commonwealth, and the Senate have deprived me of it without your consent. It is not however my private disgraces that affect me most. I lament your violated rights, your annihilated power. For who from henceforth will give themselves the trouble to solicit the suffrages of the Tribes? Who will take pains to conciliate your favour? And how can you be considered as arbiters of elections, as dispensers of employments and dignities, if you cannot secure the enjoyment of your gifts to those you have invested with them, and if your creatures are liable to be deprived without your participation of what you alone have conferred." He added many other things to the same effect, concluding his discourse with descending from the Tribunal, tearing his robes, and throwing himself at the feet of the soldiers. All of them, moved with such a sight, raised him up, made him re-ascend the Tribunal, desired him to recal his Lictors, and protested that they would persist in acknowledging him for Consul. At the same time, the Officers, whom he had gained, advanced, and first took the oath to him as to their General, and then made the troops under their respective commands do the same.

This sufficed for putting Cinna into a condition to fear nothing. But he was besides for making himself formidable to his adversaries, and for resuming the authority of the government over them, of which they had taken possession. Accordingly, to augment his party, he made a tour to all the cities of Italy, representing to the new citizens, that it was their quarrel he had sustained, and that he had been the victim of his zeal for their interests. He was without doubt heard favourably: he found both men and money in abundance:

abundance : and he had at his command three hundred cohorts, or thirty legions, formed out of the different states of Italy : a formidable power, which it is not to be believed that he assembled in one body of an army, but which may give us an idea of the greatness of his strength, and what reasons those had to tremble who had driven him out of Rome.

Octavius and Merula in effect thought proper to fortify the city, and to put it into a state of defence. At the same time, as they had few troops about them, they wrote on all sides to call in the armies that still acknowledged the authority of the Senate, to the assistance of their country. But the Generals of two of the strongest bodies of troops, from which they could hope assistance, both failed them from different reasons. Metellus Pius, who was full of good will, was too far off, and sufficiently employed by the Samnites. Pompeius Strabo, who might have been at hand to aid the Consuls effectually, observed a dubious conduct, and gave Cinna time to strengthen himself ; with the view of making himself necessary, and discontented from not having obtained a second Consulship as he desired.

Marius in the mean time, who till then had continued in Africa, took the advantage of a conjuncture so much in his favour. He repassed the sea, and landed at a port in Tuscany with about a thousand men, partly Moorish horse, and partly Italian adventurers, whom his name, and misfortunes like his own, had induced to follow him. He wore in his aspect and his whole person an air of dejection that suited his condition. And the compassion that the sight of him inspired, joined with his great reputation, soon enabled him to assemble six thousand men ; and the more easily, as he refused none that offered themselves, even to the slaves to whom he gave liberty. He then sent to offer Cinna his service ; and the latter, who had affected to have no intelligence with him, though in reality they were agreed in every

A. R. 665. thing, assembled the council of war to deliberate upon
Ant. C. Marius's proposal.

87.

Nobody hesitated upon accepting his offers. Only Sertorius was of a contrary opinion, whether he apprehended being eclipsed by the glory of so great a warrior, or, all benevolent as he was, he dreaded the terrible excesses, to which revenge might carry a man naturally cruel, and exasperated by misfortunes. He represented, that as their enterprize was so far advanced as in a manner to assure them of overcoming; they had no occasion for Marius, and that, however, if he joined them, he would engross the whole glory of the success to himself. That besides, his jealous and umbrageous character was known, which, it was more than possible; would make those repent their favour who should share authority with him. The opposition of Sertorius compelled Cinna to discover himself. He owned that the reasons he alledged were of weight; but he added, that he was ashamed to refuse Marius, after having called him in himself. "Why did not you say so at first?" resumed Sertorius. "If you invited him, the affair is at an end; we have no occasion to deliberate." Marius was accordingly received: and Cinna declared him Proconsul, and was for giving him the Fasces and Lictors. But he refused them; saying that such honours did not become the fortune of an exile. And in order to render himself an object of pity, he assumed an afflicted aspect and dejected manners, through which however it was easy to discern an height of courage irritated, but not depressed, by the calamities he had suffered.

It was resolved in the Council to attack Rome. Sylla had set the example: and Marius did not pique himself upon being more delicate than his enemy in the point of love for his country. Cinna and he assured themselves of succeeding without difficulty. Besides their great strength, the cold and slow circum-spection of Octavius gave them a great superiority.

It is the fate of worthy persons to be almost always attacked with advantage ; because probity denies them many resources, which their adversaries make no scruple to employ. Octavius wanted neither fortitude nor ability. But he rigidly adhered to the observation of the Laws ; and when somebody advised him to arm the slaves, and engage them by the hope of liberty in the defence of the city, he replied, “ That he would not violate the Laws by giving slaves the * Rights of Roman citizens, whilst, out of respect for them, he deprived Marius of those Rights.”

A. R. 665.
Ant. C.
87.

The contrary party had a quite different way of thinking : they spared no means for strengthening themselves ; and Cinna besieged Rome with four armies, which were posted, one, with Marius at its head, below the city on the side next the sea ; another, commanded by Sertorius, above it : Cinna himself, and Carbo, who will soon have a great part hereafter in all these troubles, took up their quarters between those of Marius and Sertorius. Their first design was to reduce the city by famine ; which it was easy to effect, as they were masters of the river. Their parties scoured the country. They had light ships, which cruized upon the coasts : and in that manner they prevented any provisions from being brought in to the besieged. Marius by intelligence even surprized Ostia at the mouth of the Tiber, and gave up that unfortunate place to be plundered at the discretion of the troops.

I now proceed to the slow movements of Pompeius Strabo, in favour of the Consuls and Senate. By a treacherous connivance, as I have said before, he had given Cinna time to acquire formidable forces, and did not come to the aid of his country till it was reduced to extremities. And, if we may believe Orosius, before he declared on the side of the Senate, he had offered himself to Cinna and Marius, and had

* Slaves made free by the Romans, became Roman citizens themselves.

A. R. 665. been rejected. He fought a battle at the gates of
 Ant. C. Rome, which was not decisive, and of which all that
 87. we know worthy of notice is, that two brothers, who
 Tac. Hist. happened to serve in the opposite armies, meeting
 iii. 51. during the heat of the battle, engaged without know-
 Liv. Epist. ing each other. He who was on Pompey's side
 Oros. v. having killed the other, knew him when he was
 39. taking his spoils. His grief rose to despair; and after
 the action, having erected a funeral pile, upon which
 he placed the dead body, he got upon it himself, fell
 upon the same sword with which he had killed his
 brother, and having ordered the fire to be lighted, in
 that manner mingled his ashes with those of the de-
 ceased. Horrid event! which made both armies
 groan, whilst they were committing crimes of almost
 as deep a dye.

The Consuls would not have thought themselves
 sufficiently strong with the reinforcement of Pompey's
 troops, though they could even have relied upon the
 zeal and fidelity of their Leader. They therefore
 sought to procure other aid. Metellus Pius, who
 was entirely devoted to the Senate, as I have said al-
 ready, was actually making war against the Samnites.
 They sent him orders to treat with that People, and
 to offer them the freedom of Rome. They were in
 hopes of acquiring thereby a double reinforcement;
 the army of Metellus, which as soon as disengaged,
 would not fail of coming to the aid of Rome; and
 even that of the Samnites, who from enemies would
 become citizens. But the latter, full of hatred for
 the Roman name, and haughty in effect of being sol-
 licited, demanded such advantageous conditions for
 themselves, and so hard and dishonourable for the
 Romans, that Metellus would not accept them. Ma-
 rius and Cinna, who were apprized of that negotia-
 tion, gave the Samnites *Carte blanche*, and thereby
 brought them over to their party. Metellus did not
 fail to advance towards Rome, and to join the army
 of Octavius.

In the mean time, the city was upon the point of being taken by treason. One Ap. Claudius, a legionary Tribune, who had formerly received some service from Marius, delivered up the fort of Janiculum to him, of which he had the guard. Cinna and Marius were in possession of that post, which commanded the city, and was joined to it by a bridge, when Octavius and Pompeius flew thither, and repulsed the enemy.

This was the last service Rome derived from the army of Pompeius. Soon after, a contagion spread in it, that destroyed great part of it. The unexpected death of that General, who was killed with thunder in a dreadful storm, entirely dispersed that army. Nothing is said of it after that event: and it is probable, that the soldiers either dispersed, or even took party amongst Cinna's troops. I must not omit here the manner in which the publick expressed their hatred for Pompeius Strabo after his death. He had drawn it upon himself by his insatiable avarice, unbounded ambition, and especially the criminal indifference which he had expressed in respect to the dangers that threatened Rome. Accordingly, at the celebration of his funeral, the populace fell upon the bed of state, in which he was carrying to the pile, tore him out of it, and threw his body upon the ground; and after having done it a thousand outrages, they dragged it about the streets with an hook. Pompey the Great, who was beloved by the Roman People even to adoration, was the son of so detested a father.

Plut. in
Pomp. Jul.
Obseq.

Marius spared no pains to deprive the besieged of all hopes of receiving provisions and refreshments: with this view, he took all the places in the neighbourhood of Rome, where there were magazines, Antium, Aricia, Lanuvium, and some others. After which, having rejoined Cinna, Sertorius, and Carbo, he moved with them to offer the Consul battle. Cn. Octavius had quitted Rome, and kept the field with considerable forces; namely, his own troops, those of Metellus Pius, and a third army commanded by

Appian.
Plut. in
Mar.

A. R. 665.
Ant. C.
87.

P. Crassus, the father of him whom his riches and power afterwards rendered so famous. It might have been thought that the Consul, in the state things were, would undoubtedly have accepted the defiance of the enemy. Only a battle gained could save Rome : but at the same time, a battle lost would give it up as a prey to violence, plunder, and all the horrors of war. This last consideration, conformable to the mild and somewhat timorous disposition of Octavius, checked him. He did not dare to expose his country to so great a danger, and lost all by his averseness to hazard any thing. Desertions became frequent ; and scarcity increasing in Rome, began to excite the complaints and murmurs of the multitude ; so that the Senate discouraged, and apprehending that the city would either be taken by force, or delivered up by treachery, sent deputies to Cinna to treat of an accommodation.

Cinna stop't them short, by asking whether those who sent them acknowledged him Consul. What is surprizing enough, they had no instructions upon that head, and returned without so much as opening the negociation. This weak step taken by the Senate had therefore no other effect, than to augment the consternation of those in its interest, and to raise the courage of the partisans of Marius, who were very numerous in the city. Octavius's army diminished every day by desertions ; and his credit declined still more. He could neither rely upon most of those who remained in his camp, nor the soldiers place any confidence in an irresolute General, very tenacious of forms, and always apprehensive of doing too much. As to Metellus, he had abandoned the party, and seeing the superiority Marius had attained, he first retired into Liguria, from whence he soon after went to Africa. The Senate had no other resource left, than to transact with the adversaries upon the gentlest conditions it was possible to obtain. But it was necessary to restore the Consulship to Cinna ; and that indispensable preliminary was the highest injustice to Merula,

Merula, a man of worth, venerable for the eminence of the Priesthood he possessed, and one who undoubtedly was far from deserving the affront of being deposed.

A. R. 665.
Ant. C.
87.

That Consul spared them the perplexity they were under in respect to him, by sacrificing himself with a generosity worthy of the greatest praises. "I shall be far," said he, "from suffering my person and interests to be an obstacle to peace. I received the Consular Fasces by your authority, and to labour for the safety of my country. As the good of my country now requires that I should lay them down, it is with joy I give my fellow-citizens that testimony of my love for them, and of my zeal for extricating them out of danger." He afterwards ascended the Tribunal of Harangues, and solemnly abdicated his office before the People. Upon that, new deputies were sent to Cinna, with orders to acknowledge him Consul.

Diod. apud
Valef.

Their instructions were very short. They were charged to demand nothing of Cinna, but an oath to spare the lives of the citizens. He would not condescend to take that oath, and insisted upon their being contented with giving his word, that he would not voluntarily cause the death of any one. We shall see in what manner he kept that promise: but he would not have observed his oath more strictly. He added advice to Octavius, who had re-entered the city: "Let him not venture to appear in publick," said he to the Deputies, "lest against my will some misfortune should befall him." He gave this audience sitting on his Tribunal, with his Lictors before him, and surrounded with all the train of the Consular dignity. Marius was standing near the Consul's curule chair, affecting, as he always had done since his return, an air of dejection, of which it was easy to discern the hypocrisy, and which suffered marks of profound resentment and sanguinary revenge to escape it.

Appian,
Plut. in
Mar.

Accordingly,

A. R. 665.
Ant. C.
87.

Diod. lib.
xxxviii.

Plut. in
Marr.
Appian.

Accordingly, Marius and Cinna seeing themselves victors, held a great Council with the principal Chiefs of their party, to deliberate upon the manner in which they should use their victory. We cannot doubt but Sertorius spoke in favour of lenity. We shall soon see a proof of that. But he was not master here; and it was concluded, that, without regard to the promises made the Deputies of the Senate, they should put all their enemies to the sword; in order that their faction, remaining in the sole possession of the government, might dispose in all things with absolute authority. To ravage the city with horrid slaughter, was what they called re-establishing its peace. Thus Marius, who had imitated Sylla in attacking Rome, and forcing it in arms, was far from imitating his humanity and moderation in respect to the citizens: as it is usual for second examples to rise upon the first in criminal excess.

In the mean time, the Senate, who were ignorant of this cruel deliberation, did not delay sending new Deputies to invite Cinna and Marius to enter the city. For the name of Marius was expressly added, because it was very well known that he was the soul of all these movements, and that Cinna, properly speaking, only lent him his name. Cinna accordingly made his entry, preceded by his Lictors, and surrounded by his guards. But Marius stopt at the gate, saying with an ironical insolence, that exiles had no right to enter the city; and that it was necessary a new Law should abrogate that by which he had been banished. The Tribes therefore were assembled immediately: but three or four had scarce given their suffrages, when Marius, tired with that comedy, entered on a sudden, and gave up Rome to all the horrors of war. All the gates of the city were shut, that nobody might escape: and under pretence of seeking for Marius enemies, the soldiers dispersed themselves into all quarters. In particular, a troop of slaves enfranchised by Marius, and whom he had in a manner made his guard, having received entire permission from him, committed the
most

most horrible excesses. A very great number of citizens were slain, women ravished, and houses plundered. To be rich, was to be an enemy of Marius. In a word, Rome was treated like a city taken by storm.

A. R. 665.
Ant. C.
87.

The Consul Octavius was not a witness of these calamities : for he was killed even before the victors entered the city. He had retired to the fort Janiculum, with a small number of friends and some troops, who still continued faithful to him. All that were with him exhorted him to fly. But he declared, that being Consul, he would never abandon Rome. I do not know whether he relied upon the oaths of Marius and Cinna, who had caused him to be assured that no hurt should be done to him. But it is certain, that he placed great confidence in the predictions of Astrologers, who had always promised him good success. For that magistrate, the most moderate and equitable of the Romans, besides being a man firm to the maxims of his ancestors, and who always sustained with haughtiness the rights of the Consular dignity, without degrading it by unworthy compliances, that very man had a ridiculous weakness for Astrology and Divination ; and what much contributed to his ruin, was passing more of his time with impostors and Soothsayers, than with the best heads of the Senate and army.

Marius and Cinna had only given him good words to prevent him from thinking of flight ; and they dispatched an officer, named Censorinus, with a body of horse to kill him on the Janiculum. Censorinus found him sitting in his curule chair, with the ensigns of the Consulship, and his Lictors before him, as if it had been a time of perfect peace. As soon as his friends perceived the horse, they pressed him again to fly. But he did not vouchsafe so much as to rise, and in that manner received death with a constancy, of which the glory is however diminished by an answer of an Astrologer found about him after his death. His head was carried to Cinna, and afterwards set

A. R. 665.
Ant. C.
87.

set up upon the Tribunal of Harangues, no doubt to revenge the like treatment that had been done by Sylla to the Tribune Sulpicius. The victors continued to make the same kind of trophies of all the other cruelties they committed, and not a Senator was murdered by their order, but his head was set up on the same Tribunal; insomuch that a place of such respect became a kind of place of execution, and even something more horrid, as the bleeding heads exhibited there, were not those of vile wretches executed for their crimes, but of all that were most illustrious at Rome by their dignities, talents, and virtues.

Of this number were the two brothers L. and C. Cæsar, the first of whom had been Consul and Censor, and the second was the person who had disputed the Consulship with Sylla. There was even something unusually atrocious in the death of Lucius: Marius*, out of a mean barbarity, caused him to be tormented in the most cruel manner before the tomb of the wretched Tribune Q. Varius, who had occasioned so many evils to the State. Nothing was wanting, says Valerius Maximus, to the misfortunes and shame of the Commonwealth, but to sacrifice Cæsar to the manes of Varius. C. Cæsar was discovered, and delivered up by the person in whose house he had sought an asylum, and for whose defence he had formerly employed his eloquence with success in a criminal affair. Such was the gratitude of that villain to his benefactor. Many other illustrious persons also perished miserably. I shall only mention the most considerable, and those of whose deaths we have some particulars.

Liv. Epit.
Plut. in
Crasso.

P. Crassus, after seeing his eldest son killed before his face, thrust himself through with his sword, to avoid being exposed to insults unworthy of his courage

* Marius iram suam nefarie distrinxit. L. Cæsaris Consularis & Censorii nobilissimum corpus ignobili sævitâ trucidando: & quidem apud seditiosissimi & abjectissimi hominis bustum. Id enim malorum miserimæ tunc Reipublicæ deerat, ut Vario Cæsar piaculum cederet. Val. Max. ix. 2.

and virtue. His second son escaped, and afterwards became the richest, and one of the most powerful of the Romans.

A. R. 665.
Ant. C.
87.

The Orator M. Antonius had found a faithful friend, but one who ruined him by too much zeal and good will. This was a poor Plebeian, who seeing a guest of that importance in his house, was for entertaining him well. He sent his slave to the tavern with orders to buy the best wine. The seller, who saw the slave taste the wine with more care than usual, desiring to set a very high price upon it, asked him why his master was not contented with the wine he commonly drank. The slave, who thought he was speaking to a friend, discovered the fatal secret; and the perfidious vintner ran immediately to Marius, who was then at table, to declare to him, that he had it in his power to put M. Antonius into his hands. The transports of joy with which Marius received that news gives horror. He cried out, clapped his hands, and was for going himself to the place, if he had not been stopt by his friends. He therefore determined to send the military Tribune Annius with soldiers, ordering him to bring him the head of M. Antonius that instant. Annius went, and staying below to guard the door, made his soldiers go up stairs. But the sight of Antonius softened their cruel hearts; and the eloquent orator, in so pressing a necessity, having employed those refined insinuations, and the pathetic, which he well knew how to adapt, so effectually moved them, that not a single man could resolve to lay hands upon him. The Tribune at length, who was grown impatient with waiting, went up himself, and saw his soldiers suspended, and in a manner enchanted, holding down their heads and shedding tears, whilst Antonius harangued them. As for himself, who was no less barbarous than him that sent him, he gave no ear to the prayers of so venerable a suppliant, but cut off his head, which he immediately carried to Marius. That mournful present was received with a satisfaction equal to the impatience

Plut. in
Mar.
Appian.

with

A. R. 665. with which it was expected. Marius embraced the
 Ant. C. Tribune Annius all bloody as he was ; he took the
 87. head of Antonius out of his hands, and was not afraid
 of fouling the table, which was considered by the an-
 cients as something sacred, with the blood of so il-
 lustrious a citizen, and so great an Orator. When he
 had taken time to glut his eyes with so cruel a sight,
 he returned it to be set up on the Tribunal of Ha-
 rangues : so that “ upon the very same place *, from
 whence Marcus Antonius, when Consul, had de-
 fended the Commonwealth with so much courage,
 was placed that head, to which so many citizens were
 indebted for their preservation.” This Cicero says,
 who hardly thought, when he was writing it, that he
 was relating his own history : nor that a like fate was
 reserved for himself, from the grandson of him whose
 misfortune he was so bitterly deploring.

After so many murders, committed with a violence
 that neither knew check nor bounds, as if the Law
 had still any sway amidst such horrid disorders, or ra-
 ther, to add insult to cruelty, Marius and Cinna
 caused Catulus and Merula to be accused in form.
 Catulus, who had been Marius's Colleague, and tri-
 umphed with him over the Cimbri, endeavoured to
 dissuade him, and made his friends ask him permis-
 sion to quit Rome, and to go into banishment. But he
 had to do with the most merciless of all mankind ; and
 all the entreaties made to him drew from him only a
 single word, which he repeated several times, “ Let
 Cic. Tusc. Quæst. v. “ him die.” Catulus accordingly, shutting himself
 56. up in a little chamber, that had been new plaistered
 with lime, caused a great fire to be kindled in it, and
 suffocated himself in that manner.

Vell. ii. 22. As to Merula, he resolved to make the god whose
 Flor. iii. Priest he was witness of his death ; and having placed
 21. himself at the foot of the altar of Jupiter, he opened

* M. Antonii, in his ipsis Rostris, in quibus ille Rempublicam
 constantissimè Consul defenderat,—positum caput illud fuit, à quo
 erant multorum civium capita servata. Cic. de Or. iii. 10.

his veins in such a manner, that his blood flew upon the statue of that god. He no doubt intended to draw down the vengeance of the gods upon his cruel enemies, who forced him to die. A singular circumstance, which, though superstitious, does honour to his piety and zeal for his country, is, that as it was thought of bad omen, and capable of offending the gods, that the Priest of Jupiter should die with the sacred mitre upon his head; Merula had the precaution to set down in his table-book, found about him, that before he opened his veins, he had taken off that sacred covering. For the rest, the death of this priest of Jupiter induced almost the extinction of that office: for a vacancy ensued of seventy-seven years. The great Cæsar, then very young, was intended by Marius for Merula's successor. But Sylla's victory rendered that nomination useless and of no effect.

A. R. 665.
Ant. C.
87.

Appian.

Besides the deaths of these great persons, and some others, which history mentions in particular, a dreadful slaughter was made of a vast number of citizens. A word, a nod of Marius's head, cost those who came in his way their lives. At length a Senator, who was called Ancharius, having accosted him, and received no answer to his compliment, was massacred that instant. And this became the rule. All who came to salute Marius, and had not their salute returned, were killed by the slaves that served him as guards: so that his friends themselves approached him not without trembling. Nor was he satiated with shedding so much blood. Cinna was tired with killing, and gave out: but as for him, always merciless, always thirsting after blood and murders, he spared not one of those of whom he had conceived the least suspicion. The slaughter, attended with plundering of houses, and the most criminal violences, continued five days and five nights in Rome, which was become a general scene of horror. Whilst the heads of those who were massacred, were exposed, as we have said, upon the Tribunal of Harangues, their bodies were thrown

Plut in
Mar.

Dio, apud
Valef.

A. R. 665. thrown into the streets, and trampled under foot.
 Ant. C. For it was prohibited to give them burial.

87.
 Plut.

All Italy in like manner felt Marius's fury. The highways and cities were full of guards, who followed those that fled and hid themselves, like hounds by the scent: and very few escaped. The unfortunate found neither faithful friends nor relations: and almost all of them were betrayed by those to whose houses they had fled for security.

This ought to make the fidelity of Cornutus's slaves the more admirable, who, after having concealed him in a safe place, took a dead body, which they tied up by the neck to a beam, to make it be believed that it was their master who had hanged himself, and shewed him in that condition, with a gold ring on his finger, to the soldiers who sought him. They afterwards acted the whole ceremony of a funeral, without any body's suspecting the truth: and during that time Cornutus escaped into Gaul.

Plut. in
 Sylla.

Appian. in
 Mithrid.

Metella, Sylla's wife, was also so fortunate to escape the cruelty of Marius with her children, who discharged his vengeance upon the houses of his enemies in the city and country.

Val. Max.
 iv. 3.

I must not omit here the example of moderation and humanity set by the whole People, which was a very strong reproach of the barbarity and ferocity of the victors. For though Marius gave the houses of those he had caused to be killed to be plundered at discretion, not a single citizen would contaminate himself with those unhappy spoils; and all of them respected the houses of the unfortunate, as if they had been sacred and inviolable temples.

Plut. in
 Sert.

But no one did themselves more honour by their lenity on this deplorable conjuncture than Sertorius. Neither resentment, nor the pride of victory, induced him to commit the least violence, or to insult the conquered. He even went farther. As his mildness proceeded from reason, and not weakness, it changed into a fatal severity against the wicked instruments of cruelty. Enraged at the excesses and barbarities com-

mitted

MARIUS, CORNELIUS, Consuls.

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mitted by the all-licensed slaves of Marius, he concerted with Cinna, who was more tractable, and having obtained his consent, he caused them to be attacked during the night in the camp, where they used to shut themselves up, and killed them every man to the number of four thousand.

A. R. 665.
Ant. C.
87.

Marius now made dispositions in the affairs of government, or rather his own; deposing the magistrates he suspected, and annulling Sylla's laws. The year being almost expired, Cinna and he nominated themselves Consuls, without any form of assembly or election.

C. MARIUS VII.

A. R. 666.
Ant. C.
86.

L. CORNELIUS CINNA II.

The first day of the new year was signalized by horrid cruelties. The son of Marius killed one of the Tribunes of the People with his own hands, and sent his head to the Consuls; two Prætors were banished; and a Senator, called Sex. Licinius, was by Marius's order thrown down the Tarpejan rock.

Dio. apud
Valef.
Liv. Epit.

Plut. in
Mar.,

Nothing but death could put a stop to the fury of that bloody old man. Nor was it long before it happened. The state of prosperity, in which he was, did not calm the disquiets occasioned by the fear of Sylla's return, who was making war with great success against the Generals of Mithridates. So formidable an avenger made Marius tremble, and he could not even dissemble his fears. One day, entertaining himself with his friends after supper, having repeated all the adventures of his life, and that vicissitude of glorious prosperities and dreadful disgraces through which he had passed, he added, that it was not the part of a man of sense to expose himself again, after the experience of such events, to the caprices of fortune.

These thoughts tormented him, and occasioned his nights to pass without sleep, which fatigued him extremely. He thought of a remedy, which little agreed either with his age or dignity. This was, to

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I i

abandon

A. R. 666.
Ant. C.
86.

abandon himself to the excesses of the table, and to pass his nights in drinking with his friends. By this regimen he soon inflamed his blood. He was taken with a fever, which presently seized his head, and in his delirium he raved on nothing but the war with Mithridates. He imagined that he had the command of it, and not only spoke, but made gestures, and assumed the attitudes of a man that fights, or of a General giving orders: so violent and incurable was the passion, and so deeply had it taken root in his heart, with which ambition and jealousy uniting had inspired him for that command. Thus, says Plutarch, at the age of seventy, the only man who had been seven times Consul, and possessing riches, that might have sufficed for several Kings, lamented as one suffering indigence, and died before he could put his views in execution. Wretch, that instead of enjoying the gifts of fortune with gratitude, suffered himself to be deprived of the present in being wholly engrossed by a chimerical future. * Such is the fate, adds that philosophical historian, of those who not having early taken care to prepare their minds by study and sound letters, as a solid foundation and basis for receiving external goods, ineffectually pour both riches and honours into an insatiable abyss, of which they never find a bottom. Marius died the thirteenth of January.

Cic. pro.
Sext. Rosc.
n. 33.
Val. Max.
IX. 11.

His death did not restore tranquillity to the city: and it appeared even at his funeral, that the fury of his partisans was not extinguished with his life. Fimbria, one of the most violent ministers of his cruelties, who had massacred L. Cæsar, and the son of P. Crassus, ordered somebody to kill Q. Scævola, the Pontiff, that person so venerable for his virtue, during the very pomp of the procession. Scævola receiving only a slight wound, Fimbria cited him before the People. And when he was asked, what crime he could lay to the charge of a man that it was next to impossible to

* Πρὶν ἐκ λόγου καὶ παιδείας ἔδραν ὑποβάλλεσθαι καὶ κρηπίδα τοῖς ἔξωθεν ἀγαθοῖς, συν-
δρῶντες αὐτὰ καὶ συμφερόντες, ἐμπλῆσαι τῆς ψυχῆς ἐδύναμαι τὸ ἀκέραιον.

praise as he deserved, "I shall accuse him," said that brutal wretch, "of not having received enough of the dagger, with which he should have been killed in the Forum." Such were the worthy instruments employed by Marius to satiate his ambition and revenge: and in that manner did he continue by his followers the evils he had perpetrated during his life.

Almost all those who spoke of Marius have observed, that he was * less fatal to his country in peace than to its enemies in war. Valerius Maximus goes farther, and judges with reason †, that his victories were not a sufficient compensation for the horrors of which he had been guilty: and that he merited admiration less for his great actions against the enemies of Rome, than the publick hatred and detestation for the crimes he had committed against his country. And indeed he had all the vices of great wicked men: he had neither fidelity, honour, nor humanity; he was ungrateful, an enemy to all virtue, jealous of all merit, and cruel as a wild beast. When, after all this, Marius is treated as a great man, and an hero, it is perhaps the most flagrant example of the weakness of mankind, who so little understand their interests, as to annex the idea of greatness and heroism to the fatal art of destroying their species; and who can admit, that such heroism can subsist with the vices most pernicious to society.

His fortune scarce seems more worthy of envy, than his conduct of praise. He without doubt became the most famous of the Romans. But if instead of suffering ourselves to be dazzled by the vain splendor of riches and dignities, we consider what it cost him to acquire and secure the possession of them; what intrigues, cabals, anxieties: add to these, the torment of envy, fears, vexation on being often forced to give way, and lastly, the deplorable circumstances of his flight:

* Quantum bello optimus, tantum pace pessimus—vir in bello hostibus, in otio civibus infestissimus. VELL.

† Penè tanti victoriæ ejus non fuerunt: quarum oblitus, plus criminis domi, quàm laudis militiæ meruit. VAL. MAX.

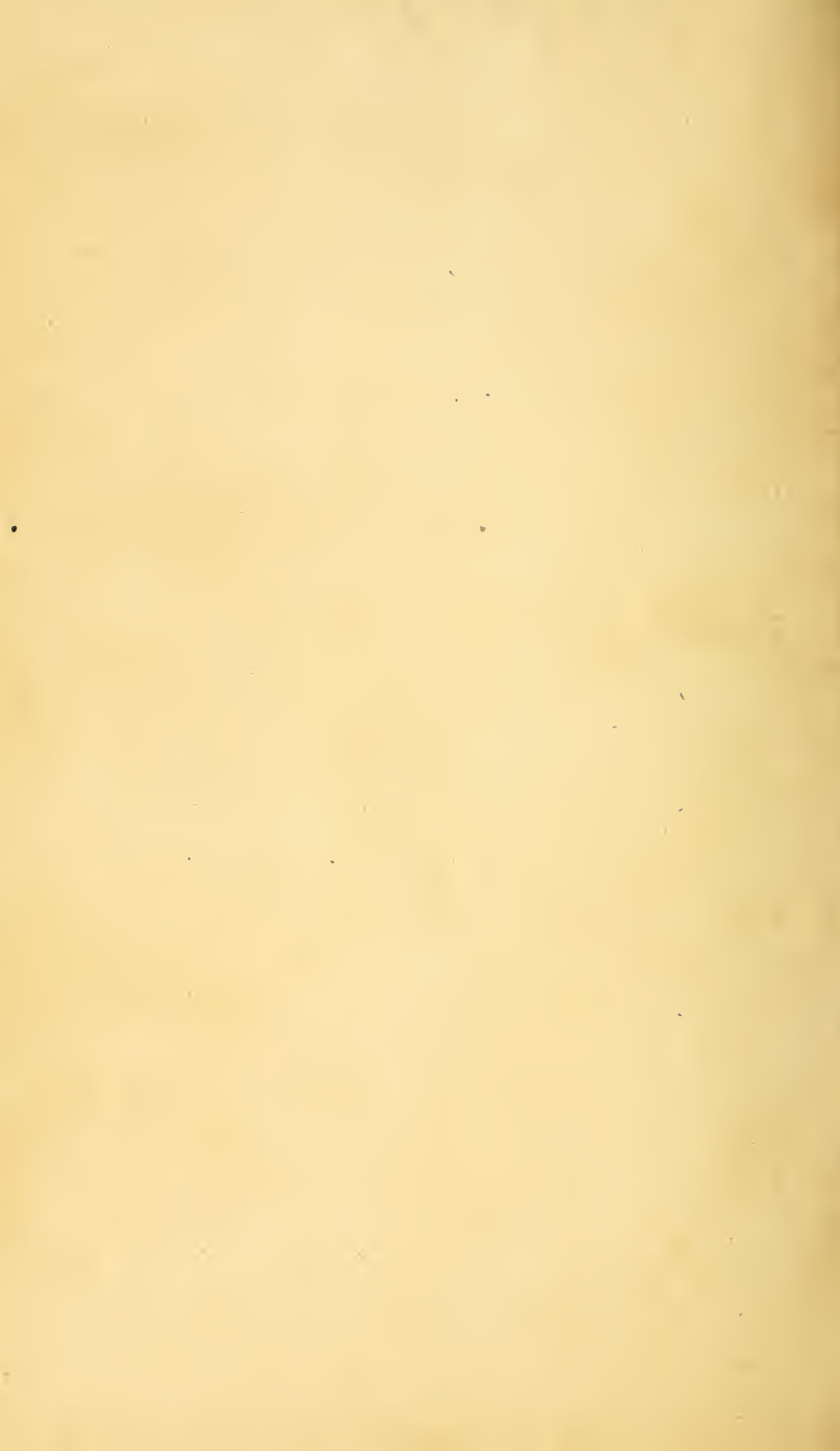
A. R. 666.
Ant. C.
86.

Liv. Epit.
lxxx.
Vell. ii. 11.
& 23.
Val. Max.
ix. 1.

A. R. 666. would not he have been more happy, if tranquil in the
 Ant. C. obscure state he was born, cultivating the little land,
 86. either left him by his father, or acquired by his own labour, he had led a life exempt from care and dangers?

Let me be suffered to carry my views still farther, and to add to the example of Marius, that of the Commonwealth itself, of which he was both the preserver and executioner. What a dreadful situation was that of Rome in the midst of all its prosperity and greatness? She is victorious over all her enemies, and tyrannised over by her own citizens. She puts to flight, and cuts in pieces, foreign armies, and is drowned in her own blood. She gives laws to all nations, and cannot support her own, that change every instant with the caprices of the Tyrants that oppress her. And it is even this prosperity that gives birth to all her calamities. Modest and happy as long as she was weak and low, it is good fortune that introduces the most horrid of vices and calamities into her bosom. Such is the error and uncertainty of all human things! so ignorant are men of what constitutes their real happiness! Let us conclude then, that there is no solid felicity either for states or private persons, but in the practice of virtue; and that virtue is much more the friend and companion of mediocrity, than of too great elevation of fortune.

END of the SIXTH VOLUME.



Cleaned & Oiled





